

as the Hinebaugh bill, proposing the enactment of legislation which will compel concerns selling goods directly to the consumers entirely by mail to contribute their portion of funds in the development of the local community, county, and State into which said goods are shipped; to the Committee on Ways and Means.

By Mr. FOCHT: Evidence in support of House bill 7074, for the relief of Emma S. Owen; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8545, for the relief of Rebecca Miller; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 6579, for the relief of Amy Hoffman; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of citizens of Gardner, Ill., favoring a tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of Grand Lodge of the German Order of Harn-gair, of Illinois, favoring an embargo on shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. GRIEST: Petition of Boston Post Office Clerks' Association, Branch No. 5, United National Association of Post Office Clerks, favoring House bills 7654 and 7655, to retire postal employees and to prohibit the discharge of the employees of the Postal Service for certain disabilities; to the Committee on the Post Office and Post Roads.

Also, petition of Stork Bros., hosiery manufacturers, of Adams-town, Pa., favoring protection for manufacturers of America; to the Committee on Ways and Means.

By Mr. HEATON: Memorial of library committees in session at Chicago, Ill., asking that libraries be exempted from the provisions of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL: Petitions of Griffin Button Co., of Shelton, Conn.; New England Cotton Yarn Co., of New Bedford, Mass.; Phoenix Underwear Co., of Little Falls, N. Y.; Knoxville (Tenn.) Spinning Co.; Elk Cotton Mills, of Dalton, Ga.; H. R. Epler & Sons, of Reading, Pa.; Anniston (Ala.) Yarn Mills; and E. C. Beeten & Sons, of Carlisle, Pa., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. HILLIARD: Papers to accompany House bill 8423, for the relief of Robert F. Risley; to the Committee on Invalid Pensions.

Also, petition of Stockton (Cal.) Chamber of Commerce, relative to railway pay; to the Committee on the Post Office and Post Roads.

Also, papers to accompany House bill 9848, granting an increase of pension to Mary A. Clark; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9474, granting an increase of pension to Rebecca J. Calhoun; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Papers in support of claim for special pension for Jennie J. Brown; to the Committee on Invalid Pensions.

By Mr. KAHN: Papers to accompany bill granting an increase of pension to Irene L. Cox; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: Petition of Gorham Manufacturing Co., of Providence, R. I., favoring appropriation for Government work in Alaska; to the Committee on Appropriations.

By Mr. LOUD: Petitions of sundry citizens of Bay City, Mich., favoring Federal censorship of moving pictures; to the Committee on Education.

By Mr. MOORE of Pennsylvania: Petitions of M. G. Esch, John H. Gerth, Joseph Hecking, and others, of Philadelphia, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. MORIN: Petitions of James Devlin and Henry J. Heitman, of Pittsburgh, Pa., protesting against preparedness; to the Committee on Military Affairs.

By Mr. MOTT: Petition of Gilbert S. Graves and 44 citizens of Oswego, N. Y., favoring national censorship of motion-picture films; to the Committee on Education.

Also, petition of F. N. Darling and 31 citizens of Cazenovia, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. OAKLEY: Petition of J. Broadbent & Son, of Connecticut, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. PAIGE of Massachusetts: Petitions of the Lees Button Co., of Leominster; Shiverffs Worsted Co. and Star Worsted Co., of Fitchburg; and Aetna Mills, of Watertown, Mass., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. PLATT: Petitions of sundry citizens of Middleton, N. Y., protesting against tax on tooth paste; to the Committee on Ways and Means.

By Mr. PRATT: Petition of Baldwin Post, No. 6, Grand Army of the Republic, of Elmira, N. Y., advocating preparedness, the protection of our citizens, and the honor of our flag; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: Petitions of Kalamazoo Amusement Co. and Koch & Buchter Orpheum Theater Co., of Kalamazoo; and Wonderland Theater, of Vicksburg, Mich., protesting against Federal censorship of moving pictures; to the Committee on Education.

Also, petition of A. J. Brosseau, of Albion, Mich., favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. STINESS: Petition of C. Moore Co., of Westerly, R. I., favoring the passage of the bill to encourage and maintain the manufacture of dyestuffs; to the Committee on Ways and Means.

By Mr. TILSON: Petition of F. E. Spencer, of Guilford, Conn., favoring tax on dyestuffs; to the Committee on Ways and Means.

Also, petition of W. A. Watts, of New Haven, Conn., favoring passage of House bill 8435—1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Petitions of theaters of the United States, relative to equitable distribution of any tax the present Congress may levy; to the Committee on Ways and Means.

SENATE.

TUESDAY, January 25, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we know that every path of human activity leads to Thy throne. We have never been able to get away from the consciousness of human responsibility. Thou hast taught us to look forward to the judgment of our own lives without fear. Thou hast taught us that our lives will be in review before Thee. The ideals that we seek to work into the plan of human life and government are derived from Thee, and that which we write into law must stand the test of the divine law. Grant us Thy grace to see the larger meaning of life and law in the light of Thy life and of Thy law. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

LIST OF CLAIMS (S. DOC. NO. 255).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules of claims amounting to \$47,525.33 allowed by the several accounting officers of the Treasury Department under provisions the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

LIST OF JUDGMENTS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a list of judgments rendered against the Government by the district courts of the United States under the provisions of the act of March 3, 1887, submitted by the Attorney General, and which require an appropriation for their payment, etc., amounting to \$5,006.89 (S. Doc. No. 253), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims amounting to \$27,695.12, which have been presented to the department and require an appropriation for their payment (S. Doc. No. 252), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

FOREIGN COMMERCIAL SERVICE.

The VICE PRESIDENT presented a communication from the General Secretary of the Chamber of Commerce of the United States, transmitting a tabulation of a referendum vote on the question of making a marked increase in the development of the foreign commercial service of the Bureau of Foreign and Domestic Commerce in the Department of Commerce and the Consular Service in the Department of State, which, with the accompanying paper, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS.

Mr. MYERS. I present a petition from the city and county officials of Montana, in convention assembled, praying for an appropriation of \$1,000,000 for the Flathead Reclamation project in that State. I ask that the petition be printed in the RECORD, together with the signatures of the chairman and the secretary, and that it be referred to the Committee on Indian Affairs.

There being no objection, the petition was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

To the President and Congress of the United States:

The city officials, county assessors, county commissioners, county clerks and recorders, county treasurers, county surveyors, and county auditors of all the cities and counties of this State, in joint convention assembled at Butte, Mont., most urgently request the President and the Congress of the United States for an appropriation of \$1,000,000 for construction work on the Flathead irrigation project, to be passed by this session of Congress for work during the current year.

The estimated cost for this project is \$6,500,000, and Government reports show that the project is less than 25 per cent completed, and at the present rate of receiving appropriations it will require 25 years to complete the project.

The settlers entered upon these lands at the urgent request of the Government, under promise that their lands would be irrigated and opportunity afforded them to provide a living for their families and make payments on their land.

The dilatory methods of the Government in handling this project has been manifestly unfair, and they feel that the Government should come to their assistance and make appropriations that will assure completion of the project in an economical and businesslike manner, thereby insuring water at an early date and greatly reducing the cost per acre of this project. The lax methods of the Government are resulting in the absolute confiscation of the settlers' rights and property.

In view of the foregoing facts, we do most urgently request that a large appropriation looking toward the speedy and economical completion of this project be passed by this session of Congress.

Respectfully submitted.

DAVE KEHOE, *Chairman.*
ROBT. LEAVENS, *Secretary.*

Dated at Butte, Mont., January 18, 1916.

Mr. DU PONT presented petitions of sundry citizens of Newark, Del., praying for the imposition of a duty on dyestuffs, which were referred to the Committee on Finance.

He also presented a petition of Pomona Grange, No. 1, Patrons of Husbandry, of Stanton, Del., praying for an investigation of the so-called foot-and-mouth disease and for the reimbursement of cattle exhibitors at the National Dairy Show, Chicago, Ill., for losses sustained, which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented a petition of the Emerson Paper Co., of Wendell, N. H., praying for the imposition of a duty on dyestuffs, which was referred to the Committee on Finance.

Mr. HARDING presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying for the ratification of the Nicaraguan Canal option treaty, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Ohio, praying that appropriations be made for the improvement of the Ohio and Scioto Rivers, which were referred to the Committee on Commerce.

He also presented a petition of the congregation of the Congregational Church of North Olmsted, Ohio, praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Dayton, Ohio, praying for a readjustment of the compensation paid railroads for transporting the mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Glass Bottle Blowers' Association of Massillon, Ohio, and a petition of sundry citizens of Dayton, Ohio, praying for the printing of the report of the Commission on Industrial Relations as a public document, which were referred to the Committee on Printing.

He also presented a memorial of sundry citizens of Coshocton, Ohio, remonstrating against an increase of the tax on intoxicating liquors, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Ohio, remonstrating against the proposed reorganization of the Rural Free Delivery Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Marion National Mill Co., of Marion, Ohio, remonstrating against the repeal of the so-called mixed-flour law, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the congregation of the Congregational Church of North Olmsted, Ohio, praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a memorial of the Society of Friends of Flushing, Ohio, remonstrating against an increase in armaments, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Ohio, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition of the congregation of the Congregational Church of North Olmsted, Ohio, praying for the enactment of legislation making it a misdemeanor to put fraudulent statements as to contents of bottles and packages of medicine, which was referred to the Committee on Agriculture and Forestry.

Mr. GRONNA. I have some letters from farmers in my State, one from Fred Kraft, of Enderlin, N. Dak., which calls attention to the monopoly now existing in twine.

I also have a letter from Victor A. Rendon, general attorney for the Commission Reguladora del Mercado de Hennequin, which relates to this same question.

I ask that these letters be referred to the Committee on Agriculture and Forestry. I ask this reference because a resolution was referred to that committee for report with reference to an investigation whether there is a combination controlling the price of sisal and binder twine.

THE VICE PRESIDENT. That action will be taken.

Mr. NELSON presented a petition of sundry United Spanish War Veterans of Austin, Minn., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

He also presented a petition of the State Normal School, of Mankato, Minn., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Education and Labor.

He also presented a petition of the Medical Society of Blue Earth, Minn., praying for the enactment of legislation to remove the high cost of drugs and chemicals necessary in the treatment of the sick and injured, which was referred to the Committee on Foreign Relations.

Mr. WADSWORTH presented petitions of sundry citizens of Oswego and Albany, in the State of New York, praying for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

Mr. McLEAN presented a petition of sundry citizens of Bridgeport, Conn., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. LIPPITT presented petitions of the Rhode Island Textile Co., of Robert D. Mason Co., and of the Rhode Island Card Board Co., all of Pawtucket; of the W. & K. Co., the Waterhouse Worsted Co., the Franklin Process Co., and the Colwell Worsted Mills, all of Providence, in the State of Rhode Island, praying for the imposition of a duty on dyestuffs, which were referred to the Committee on Finance.

Mr. BRYAN presented petitions of sundry citizens of Orlando, Miami, Coconut Grove, Zellwood, and Lake Helen, all in the State of Florida, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Fort Meade, Fla., praying for prohibition in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Fort Meade, Fla., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Oregon, praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish War, which was referred to the Committee on Pensions.

Mr. HUGHES presented petitions of sundry citizens of New Jersey, praying for the imposition of a duty on dyestuffs, which were referred to the Committee on Finance.

He also presented a petition of the Paul Revere Club, of Camden, N. J., praying for the placing of an embargo on the exportation of munitions of war, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, reported it with an amendment and submitted a report (No. 66) thereon.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 539) for the relief of Thomas F. Veno, submitted an adverse report (No. 67) thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 76) authorizing the Secretary of War to loan 1,000 tents and 1,000 cots for the use of the encampment of the United Confederate Veterans to be held at Birmingham, Ala., in May, 1916, reported it without amendment.

Mr. BANKHEAD, from the Committee on Post Offices and Post Roads, to which was recommitted the bill (H. R. 562) to amend the act approved June 25, 1910, authorizing a Postal Savings System, reported it with an amendment and submitted a report (No. 65) thereon.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 2408) to prevent usury, provide penalties for its violation, and for other purposes, asked to be discharged from its further consideration and that it be referred to the Committee on Banking and Currency, which was agreed to.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 6 to pay Letitia D. Maxham, widow of Azro J. Maxham, a sum equal to six months' salary, reported it without amendment.

He also, from the same committee, to which was referred Senate resolution No. 46, authorizing the Committee on Woman Suffrage to employ a stenographer to report hearings, etc., reported it with an amendment.

He also, from the same committee, to which was referred Senate resolution No. 49, authorizing the Committee on Appropriations or any subcommittee thereof to employ a stenographer to report hearings, etc., reported it with an amendment.

He also, from the same committee, to which was referred Senate resolution No. 63, authorizing the Committee on Naval Affairs during the Sixty-fourth Congress to employ a stenographer to report hearings, etc., reported it with an amendment.

He also, from the same committee, to which was referred Senate resolution No. 69, authorizing the Committee on Indian Affairs to employ a stenographer to report hearings, etc., reported it with an amendment.

He also, from the same committee, to which was referred Senate resolution No. 73 authorizing the Committee on Education and Labor to employ a stenographer to report hearings, etc., reported it with an amendment.

He also, from the same committee, to which was referred Senate resolution No. 74 authorizing the Committee on Public Lands to employ a stenographer to report hearings, etc., reported it with an amendment.

He also, from the same committee, to which was referred Senate resolution No. 75 authorizing the Secretary of the Senate to pay to Mary Meyer, niece of Jacob C. Donaldson, late a skilled laborer in the office of the Secretary of the Senate, a sum equal to six months' salary at the rate he was receiving at the time of his death, etc., reported it without amendment.

HEARINGS BEFORE COMMITTEE ON THE JUDICIARY.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 70 submitted by Mr. OVERMAN on the 17th instant authorizing the Committee on the Judiciary to employ a stenographer to report hearings, etc., reported it with an amendment.

Mr. OVERMAN. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There was no objection.

The amendment of the Committee to Audit and Control the Contingent Expenses of the Senate was to strike out all after the resolving clause and insert:

That the Committee on the Judiciary, or any subcommittee thereof be, and hereby is, authorized during the Sixty-fourth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

EMPLOYMENT OF STENOGRAPHER.

Mr. LEA of Tennessee. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back

favorably Senate resolution No. 78 authorizing the Committee on Inter-oceanic Canals to employ a stenographer temporarily, and I call the attention of the senior Senator from New York [Mr. O'GORMAN] to the report.

Mr. O'GORMAN. I ask unanimous consent for the present consideration of the resolution.

There being no objection, the resolution was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Inter-oceanic Canals be authorized to employ a stenographer temporarily and that the said stenographer be paid at the rate of \$50 per month for each day of such employment, not exceeding four months, and that such services be paid for out of the contingent fund of the Senate.

INDIAN ALLOTMENTS.

Mr. JONES. On yesterday I introduced a bill, being Senate bill 3774, to authorize the sale of lands allotted to Indians under the Moses agreement of July 7, 1883, and it was referred to the Committee on Public Lands. I ask that that committee be discharged from the further consideration of the bill and that it be referred to the Committee on Indian Affairs.

The VICE PRESIDENT. The bill will be referred to the Committee on Indian Affairs.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 3911) granting a pension to Sarah R. Naylor;

A bill (S. 3912) granting an increase of pension to Henry Pletcher;

A bill (S. 3913) granting a pension to Joseph F. Bartini;

A bill (S. 3914) granting an increase of pension to Mathias Eyer;

A bill (S. 3915) granting a pension to W. H. Deistine, sr.;

A bill (S. 3916) granting an increase of pension to Henry W. Driggs;

A bill (S. 3917) granting an increase of pension to Charles Brown;

A bill (S. 3918) granting an increase of pension to Robert F. Law;

A bill (S. 3919) granting an increase of pension to John Williams; and

A bill (S. 3920) granting an increase of pension to Jeremiah B. White; to the Committee on Pensions.

A bill (S. 3921) for the relief of W. S. Hosack; to the Committee on Claims.

By Mr. OLIVER:

A bill (S. 3922) authorizing and directing the managers of the soldiers' homes to designate and set aside one of the homes for the exclusive use of the widows of soldiers and sailors; to the Committee on Military Affairs.

By Mr. DU PONT:

A bill (S. 3923) for the relief of the heirs of John W. Massey; to the Committee on Claims.

A bill (S. 3924) granting an increase of pension to Mary J. Roach; and

A bill (S. 3925) granting an increase of pension to Sarah E. Carpenter; to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 3926) to remove the charge of desertion from the military record of David H. Hartson; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 3927) for the relief of the legal representatives of Francis Busch, deceased; to the Committee on Claims.

By Mr. JONES:

A bill (S. 3928) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes; to the Committee on Public Lands.

By Mr. MYERS:

A bill (S. 3929) validating certain applications for and entries of public lands; to the Committee on Public Lands.

A bill (S. 3930) for the relief of Mary L. Butland; to the Committee on Claims.

By Mr. ROBINSON:

A bill (S. 3931) for the relief of the Grand Lodge of Free and Accepted Masons of Arkansas; to the Committee on Claims.

A bill (S. 3932) to authorize the employment of persons in the District of Columbia and in the field and other necessary expenses in the administration of the national parks and the Hot Springs Reservation; to the Committee on Appropriations.

By Mr. HARDING:

A bill (S. 3933) to reimburse the Navajo Lumber & Timber Co., of Arizona, for a deposit made to cover the purchase of timber; and

A bill (S. 3934) to reimburse the Navajo Timber Co., of Delaware, for a deposit made to cover the purchase of timber; to the Committee on Claims.

By Mr. THOMPSON:

A bill (S. 3935) granting a pension to Ella C. Moody (with accompanying papers); and

A bill (S. 3936) granting an increase of pension to Mary Ballinger; to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 3937) providing for the setting aside of certain lands within the Coronado National Forest for the use and benefit of the University of Arizona; to the Committee on Public Lands.

By Mr. GALLINGER:

A bill (S. 3938) granting an increase of pension to Charles H. Johnson (with accompanying papers); to the Committee on Pensions.

By Mr. LIPPITT:

A bill (S. 3939) granting an increase of pension to Rebecca R. Potter; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3940) granting an increase of pension to Jennie M. Chapman (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 3941) granting a pension to Flora Sroufe (with accompanying papers); to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 3942) to correct the military record of Stephen A. West; to the Committee on Military Affairs.

By Mr. PAGE:

A bill (S. 3943) granting an increase of pension to Rosa L. Tobin (with accompanying papers); and

A bill (S. 3944) granting an increase of pension to Sophia E. Bissonett (with accompanying papers); to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 3945) to protect the public against dishonest advertising and false pretenses in merchandising; to the Committee on Interstate Commerce.

By Mr. POMERENE:

A bill (S. 3946) to establish a Reserve Officers' Training Corps; to the Committee on Military Affairs.

By Mr. POINDEXTER:

A bill (S. 3947) to amend section 20 of an act to regulate commerce, to prevent overissues of securities by carriers, and for other purposes; to the Committee on Interstate Commerce.

By Mr. O'GORMAN:

A bill (S. 3948) for the improvement of the Narrows of Lake Champlain, N. Y. and Vt.; to the Committee on Commerce.

THE GOVERNMENT OF THE PHILIPPINES.

Mr. CUMMINS. I submit a proposed amendment to the so-called Philippine bill (S. 381), which I ask may be printed in the RECORD.

There being no objection, the amendment was ordered to be printed and to be printed in the RECORD as follows:

Add a new section, properly numbered, as follows:

"Sec. —. The President of the United States is hereby authorized and directed to appoint, by and with the consent of the Senate, three commissioners to cooperate with the Philippine Legislature in preparing and submitting a constitution or plan of government for the people of the Philippine Islands as an independent nation. The constitution or plan shall be one best adapted to protect and preserve the rights and liberties of the people of the Islands and most likely to be efficient in maintaining law and order and in promoting progress and prosperity.

"Among other things, it shall provide for the complete possession and sovereignty on the part of the United States, in perpetuity, of such coaling stations and naval bases as may be prescribed by the President of the United States. The said constitution or plan of government shall be prepared by the Philippine Legislature and submitted to the said commissioners, and if approved by the said commissioners, or a majority of them, and adopted by the said legislature, it shall then be submitted to the qualified electors of the Philippine Islands for approval or rejection at an election to be appointed by the Philippine Legislature after not less than four months' notice.

"If a majority of the electors voting at said election shall approve the said constitution or plan of government and thereby indicate their desire for complete separation from the United States, as well as their approval of the particular constitution or plan, the said Philippine Legislature shall proceed to the establishment of the government so authorized, and when it is ready to assume the full government of the islands the President of the United States shall withdraw the military force of this country and all the representatives of this Government and thereafter shall treat the government so established in the Philippine Islands as a separate and independent government, and the relation of the United States toward such government shall thereafter be the relation which is sustained toward all other foreign powers."

AMENDMENTS TO URGENT DEFICIENCY BILL.

Mr. ROBINSON submitted an amendment proposing to increase the appropriation for commencement of a post-office build-

ing at Fordyce, Ark., from \$500 to \$10,000, intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 9416), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the commencement of a post-office building at Mena, Ark., from \$500 to \$10,000, intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 9416), which was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF SUPERINTENDENT OF COAST AND GEODETIC SURVEY.

Mr. FLETCHER submitted the following resolution (S. Res. 79), which was read and referred to the Committee on Printing.

Resolved, That there be printed 1,000 additional copies of the Report of the Superintendent of Coast and Geodetic Survey for the fiscal year 1915 for the use of the Senate document room.

THE ATLANTIC FLEET IN 1915 (S. DOC. NO. 251).

Mr. TILLMAN. I ask that Executive Document B of the Senate, Sixty-fourth Congress, first session, entitled "The Atlantic Fleet in 1915," be printed as a public document. The injunction of secrecy was removed two or three days ago.

The VICE PRESIDENT. Without objection, it is so ordered.

SPEECH BY HON. WILLIAM J. BRYAN ON PROHIBITION (S. DOC. NO. 254).

Mr. SHEPPARD. Mr. President, I present a speech by William J. Bryan on prohibition, which I regard as one of the best discussions of the subject I have ever seen. I ask to have it printed in the RECORD.

Mr. SMOOT. Does the Senator from Texas ask to have it printed as a public document or in the RECORD?

Mr. SHEPPARD. I ask to have it printed in the RECORD.

Mr. SMOOT. I do not believe we ought to put so many speeches in the RECORD.

Mr. SHEPPARD. I ask that it be referred to the Committee on Printing with a view to its publication as a public document.

Mr. SMOOT. If the Senator desires to ask that it shall be printed as a public document, I have no objection to making that order now.

Mr. SHEPPARD. I ask that it be printed as a public document.

The VICE PRESIDENT. It will be printed as a public document, then.

FLOOD AT YUMA, ARIZ.

Mr. SMITH of Arizona. I introduce a joint resolution, which I should like to have the Secretary read, as I purpose to ask unanimous consent for its present consideration.

The joint resolution (S. J. Res. 86) for repair and rebuilding of the levee at Yuma, Ariz., was read the first time by its title and the second time at length, as follows:

Whereas a flood in the Gila River has destroyed the levee erected by the Government at the town of Yuma, Ariz.; and
Whereas the waters from said river are overflowing the said town and destroying the property of its citizens; and
Whereas the waters of said flood are now 5 feet or more in depth over the business center of said town; and
Whereas the said flood waters, if not quickly restrained, will ruin the people and now threatens to ruin the Government irrigation project at said city: Therefore be it

Resolved, etc. That the sum of \$50,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated for the repair and rebuilding of said levee; that said sum shall be immediately available and the work shall be done and money expended by the director of the irrigation project stationed at said town or by any engineer detailed at once by the Secretary of War for that purpose.

Mr. SMITH of Arizona. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. VARDAMAN. The joint resolution has not been to a committee?

Mr. SMITH of Arizona. No; it has never been referred. I will state to the Senator that I received only yesterday evening a telegram from the mayor of Yuma. I wish the Secretary would read the telegram for the information of the Senate.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

[Telegram.]

YUMA, ARIZ., January 21, 1916.

Senator MARK SMITH,
Washington, D. C.:

Government levee built 25 years ago for protection of Yuma broken by floods. Business section of town under 5 feet of water. More than half of the buildings collapsed and great distress and loss to every inhabitant here. Please procure immediately \$50,000 for reconstruction of good levee. Kindly answer by wire what you can and will do for

Immediate action. This levee is not under the jurisdiction of the Reclamation Service.

W. A. MOSER, Mayor.
J. A. DONOVAN,
Chairman Board of Supervisors.
E. S. KIRKPATRICK,
President Commercial Club.

Mr. SMITH of Arizona. Mr. President, I wish to say to the Senate, before the matter is submitted for its decision, that 20 years ago or more a levee was built for the protection of Yuma against the rising waters of the Gila River, on the banks of which stream the city is located. There is a vast irrigation project there known as the Yuma project.

An unprecedented fall of snow, followed by warm rains from the mighty watershed of the Gila, the Salt, the Colorado, and their tributaries, has brought down an enormous flood, which has broken this dike, and the city to-day is under 5 feet of water.

I know, under the rule, the joint resolution ought to go to a committee. I am informed, as my colleague is informed, by various telegrams of these facts; and inasmuch as the Government is taking three-fourths of the valuable lands of the State for its own purposes, and now proposes to rent the balance for its own use, I think it is nothing but proper to these people that we should forego the question of a mere reference of the joint resolution to a committee. The impossibility of quick action under the circumstances arises in the outset from the difficulty of getting the committee together, and while we are going through with this program the people there will be drowned out. That can be prevented by providing for a sufficient number of men to do the work. The people are ruined by the flood and have not the money to do it for themselves. I hope there will be no objection to the present consideration of the joint resolution.

Mr. VARDAMAN. Mr. President, I am not going to object to the present consideration of the joint resolution, but I want to know from the Senator if any of this money is to be used for the amelioration of the condition of the people whose property has been destroyed? Are those people suffering for the necessities of life now?

Mr. SMITH of Arizona. I have no doubt about their suffering.

Mr. VARDAMAN. I want to ask the Senator further, can this work be done immediately—before the flood goes down—and if not, are such floods very frequent there?

Mr. SMITH of Arizona. The floods are not frequent. The levee has prevented flooding of the city on ordinary risings of the river; but this is an extraordinary occasion. The whole of the northern part of the State of Arizona is under water at this time, the flood being occasioned by the melting of snows, of which I have spoken. If we can get this assistance, we can now stop the flood from overflowing further the levee. We can get the men if we can get money enough there to stop it, and thus save the people from absolute destruction and from want for the necessities of life, which must follow the destruction of their homes.

Mr. VARDAMAN. Mr. President, the Senator from Arizona will understand that I am not opposing the consideration or the passage of the joint resolution; but I thought, as it proposed to provide for the construction of a levee, that it would hardly be necessary to take such expeditious action. If, however, the Senator assures me that it is for the protection of those people, I shall have no objection to the prompt consideration of the measure.

Mr. SMITH of Arizona. The joint resolution itself explains that it is for the protection of the people. When all property of the victims of this unfortunate condition shall have been swept away—as it will if this relief is delayed—then they must become, many of them, the objects of our solicitude and perhaps of charity.

Mr. FLETCHER. Mr. President, may I ask the Senator from Arizona if he will further assure us that there is no "pork" in this proposition? [Laughter.]

Mr. SMITH of Arizona. If there were, I should not object to the passage of the resolution when I consider how Arizona has been treated by the Federal Government, and the condition of those for whom I plead. The Senator who asks assurance that there is no "pork" in the proposition does so in good nature, and probably to call attention to the injustice done certain bills in which he and his constituents are interested almost as deeply as I feel on the pending resolution. I accept his pleasantry in the spirit which animates his inquiry. But this is no matter to call forth even pleasant inquiry, for I see, and hope every Senator here will see, the tragedy hanging over my friends and constituents in this hour of their distress.

Mr. SMOOT. Mr. President, I am especially interested in this very matter, but I do not believe that it is right to have a joint

resolution offered in the Senate and considered immediately, without being referred to a committee, when, under the rules, it should be so referred. The committee can act within four or five hours if the emergency is such as to justify it.

Mr. President, rather than to have the rules violated, notwithstanding I am interested in the passage of the resolution, I shall object to its immediate consideration, or until it has been considered by a committee of the Senate.

Mr. SMITH of Arizona. I should like to ask the Senator, if the Senate will bear with me a moment, how are we going to get the committee together to-day? Those people in Arizona are being drowned out of their homes.

Mr. SMOOT. I think, Mr. President, that the Senator can get the committee together.

Mr. SMITH of Arizona. I do not think so, for I have tried it often enough, and have found it impossible to get any committee together under such circumstances.

Mr. SMOOT. I believe the Senator can get the committee together if the emergency is such as he has here described it.

Mr. President, I do not believe that we ought to begin this proposed system of legislating. We have committees for the consideration of legislation; under the rules this joint resolution should go to a committee, and for that reason I ask that it be referred.

Mr. SMITH of Arizona. If it were a question of saving a man from hanging, then I suppose the question should go to a committee while the execution was going on.

Mr. GALLINGER. Regular order, Mr. President.

Mr. SMITH of Arizona. I hope the Senator will withdraw his objection to the present consideration of the joint resolution.

Mr. CLARKE of Arkansas. Mr. President, while this discussion is out of order, if I may have unanimous consent for a few minutes, I should like to submit some brief observations in connection with the request preferred by the Senator from Arizona [Mr. SMITH].

If this matter is to be acted on at all without conformity to established procedure, it must be done quickly and by an entire suspension of the rules and regulations which govern the expenditure of public money for the purposes indicated in the joint resolution. A system has grown up that, I think, is entirely too restrictive of the rights of Congress, but it is recognized as a system, and its rules and limitations are applied in all cases that come up where a state of facts similar to those recited in the preamble of the joint resolution exists.

The conditions at Yuma can be duplicated 50 times over in different sections of the country. I recall a situation down on the Red River, in Arkansas, in Texas, and in Louisiana, where similar conditions have occurred not only once but half a dozen times in the last two years; but fettered, as we have been, by the regulations imposed by Congress itself we have been unable to get any relief, or the hope of it. If this particular case in Arizona appeals more strongly than cases elsewhere, I am perfectly willing to make an exception by keeping my mouth shut here; but if the joint resolution goes to the Committee on Commerce it will take the usual course, which is to send it to the War Department for a report from the Engineers, and much will depend upon the character of the report that is made.

It is not a fact that Congress has up to this time committed itself to building levees for the mere purpose of protecting cities against inundation or the ravages of overflow.

Mr. SMITH of Arizona. If the Senator will permit me, I can make that clearer to him by referring him to what Congress has already done.

Mr. CLARKE of Arkansas. I will be through in a few seconds.

Mr. SMITH of Arizona. This levee was built by Congress itself not for the purpose simply of protecting the city, but for the purpose of protecting the Government's own land.

Mr. CLARKE of Arkansas. Irrigation projects are built out of a special fund consisting of the proceeds—

Mr. SMITH of Arizona. Oh, this has nothing to do with irrigation.

Mr. CLARKE of Arkansas. I thought the Senator stated that it would likely affect irrigation works.

Mr. SMITH of Arizona. It is likely that the waters will flow across into irrigation works.

Mr. CLARKE of Arkansas. I probably relied more upon the recitals of the preamble than I did upon the statement of the Senator. I certainly do not want to put the Senator in the attitude of making statements that I question, because I do not.

If the matter is of that supreme urgency that appeals strongly to the sense of liberality on the part of Congress, then it ought to be whipped through without any word about it; but if it is to take the regular course, I notify the Senate now that that

course has been subjected to many limitations that at times have proved inconvenient. I think they are too restrictive, and I think sooner or later the whole subject will have to be presented to Congress for relaxation of the restrictions that are now imposed upon the Committee on Commerce and upon the Congress of the United States. In attempting to escape the complaints represented by the universal outcry against the "pork" proposition in connection with the river and harbor bill we have created another institution that is no better than the pork system; and as between the two systems I think the pork system a better one than the one we have got now, because it is subjected to all sorts of favoritism and we have been confronted habitually with reports in favor of some propositions and unfavorable reports in connection with better ones; but as long as it is a system recognized by Congress and finding its authority in a solemn statute passed by Congress and approved by the President, I think we must pay some attention to it.

The Senator from Utah [Mr. SMOOT] is entirely right. The showing made in the telegram which has been read is not different from showings that can be made elsewhere, and does not approach in any possible degree the ravages from the sudden overflows that recently took place on the Ohio River and sections of the country there.

I could detain the Senate longer if I felt disposed to bring to its notice all the instances where damage has been inflicted upon the people and upon their property by sudden visitations in the form of overflows. If the Senator from Utah persists in his objection—and it is a very proper one, though, probably, I would not make it; but, being made, I have no hesitancy in saying it is a very proper one; and when it is made the proposition will have to undergo the routine established by Congress in such cases.

Mr. SMITH of Arizona. Mr. President, that statement of the Senator from Arkansas shows the Senator from Utah just what I apprehended when I asked for unanimous consent for the consideration of the joint resolution. If the joint resolution goes to the committee—and there is involved three or four days waiting for a report from the War Department and reports from the committees of Congress—it will be too late to do anything about it, so far as the people in the neighborhood of Yuma, Ariz., are concerned, for that river is still rising, according to the last reports I have had.

This case does not in any way stand on all fours with any other problem in the United States. Arizona is a State that had been held as a Territory for many years, and almost every resource of that State has been taken by the Federal Government, and the action sought to be taken will be along the line of protecting Federal property almost to as great an extent as it will be toward protecting individuals and the town of Yuma.

As I have said, the Federal Government has taken our lands and Arizona has only very limited resources. We can tax only our towns, our herds, and our mines; the Government has the balance of the valuable land, and is now going to take the rest of it; is going to impound our own waters and use them as it pleases, according to the terms of a bill now before this Congress. In that aspect of the case, with an emergency facing us, with distress and ruin confronting the people of the city, the Government itself, having built the original levee to protect its own property, as well as that of the city, and that levee having broken, with the consequence that there is an unprecedented flood there, I am going to say, with this condition facing me, that unless we can get relief this morning, probably it will come a long while too late.

Mr. SMOOT. Mr. President, while I am in full sympathy with all the Senator from Arizona has stated, it does not change the condition one particle so far as the Senate of the United States is concerned.

Mr. GALLINGER. I ask for the regular order, Mr. President.

Mr. SMOOT. I hope the Senator will wait a moment; I will not take more than a minute.

Another consideration, Mr. President, is that if this joint resolution goes to the House of Representatives the same information will be asked for by the House before it will pass upon it. Therefore, it will not hasten the passage of the resolution one hour to have it considered now without reference to the committee, and consequently I think that it just as well for the information to be secured by the Senate committee as to have it secured by the House committee, because it will have to be secured at last before the resolution can pass the House of Representatives.

The VICE PRESIDENT. The joint resolution will go to the Committee on Commerce, then.

Mr. SMITH of Arizona. Do I understand that the Senator from Utah has objected?

Mr. SMOOT. Yes. I feel compelled to do so.

Mr. SMITH of Arizona. I deplore, but can not prevent, the Senator's action. I will try to get early action by the committee.

THE FRIGATE "CONSTITUTION."

Mr. GALLINGER. Mr. President, I ask that the resolution offered by me yesterday, which went over, be now laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a resolution, which the Secretary will read.

The Secretary read the resolution (S. Res. 76) submitted by Mr. GALLINGER on the 24th instant, as follows:

Resolved, That the Secretary of the Navy is hereby directed to communicate to the Senate all facts bearing on the present condition of the frigate *Constitution*, now lying in the Charles River, Boston, and also an estimate of the amount of money that will be required to put the frigate in a condition of good repair, with a view of retaining the vessel as a historic relic of the early days of the American Navy.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

INTERSTATE AND FOREIGN COMMERCE.

The VICE PRESIDENT. Morning business is closed.

Mr. NEWLANDS. Mr. President, pursuant to the notice given yesterday, I ask that Order of Business No. 33, being Senate joint resolution 60, which was under consideration yesterday, be now taken up.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 60) creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee.

The VICE PRESIDENT. The question is on the first amendment offered by the committee.

Mr. NORRIS. Mr. President, this joint resolution provides for the investigation by a joint committee, made up of members of the Committee on Interstate and Foreign Commerce of the House and of the Interstate Commerce Committee of the Senate, to determine what further legislation, if any, should be passed by Congress relating to interstate and foreign commerce. The joint resolution also defines the power of that committee.

Mr. President, if I were satisfied that this joint resolution, if passed, would not be used as a buffer to prevent any legislation along the lines of the proposed investigation, I would have no objection to it, and I would not put anything in the way of the proposed joint committee in getting any information that it might be able to secure by means of such investigation; but, in my judgment, if we pass this joint resolution, we will be continually met with an objection to the passage of any further legislation regarding interstate railroads and the powers of the Interstate Commerce Commission, and the statement will be made that such legislation should not be taken up until this investigation has been completed.

It is the opinion, I understand, of those who are behind the joint resolution—and I am satisfied that they are right in that respect—that this investigation will take a great deal of time; that it will run beyond this session of Congress at least. I judge from the remarks of the Senator from Nevada [Mr. NEWLANDS] that it is deemed wise by those who father the joint resolution that legislation affecting railroads engaged in interstate commerce should not be undertaken now because a presidential campaign is coming on, and we can not legislate in as sober-minded a condition as though such a campaign were not coming on.

Mr. President, that objection can be urged against practically all legislation of a general character that can possibly be proposed. That objection, if good, can be urged against the Philippine bill that we now have as the unfinished business before the Senate. That objection can be urged against the rural-credit legislation that we are expected to take up soon. That objection can be raised against the bill now on the calendar, reported from the Committee on Commerce, regarding the building of dams for the purpose of developing electric power on navigable streams; and the same objection can be urged against the bill that was reported this morning from the Committee on Public Lands providing for the building of dams upon streams upon public lands.

So that it seems to me, if the objection of the Senator from Nevada is good, that, on account of a political contest that is coming on next summer and next fall, we should not pass this legislation, then we might just as well adjourn now and go home. The objection will apply to a great many of the appropriations that will be contained in the various appropriation bills that will be before the Senate.

I would be glad indeed, Mr. President, if we could consider this legislation, as well as all other legislation, free and absolutely divorced from any question of politics. According to my idea, we ought to consider all legislation free from partisan influence; but if partisan influence is going to interfere with this legislation, I see no reason why it will not to the same extent interfere with all legislation, at least all legislation of a general character. If I had my way, there would be no partisanship in this Chamber in the consideration of any legislation of any character.

Soon after the present administration went into office a bill was introduced in the House of Representatives the effect of which was to give the Interstate Commerce Commission power to regulate the issuing of stocks and bonds by interstate railroads. This bill was introduced partly, I presume, if not entirely, on account of a pledge made in the Democratic platform that the Democratic Party would enact such legislation if given the power. With that part of the Democratic platform I was then and am now in entire accord.

This bill passed the House of Representatives after a great deal of consideration there. It came to the Senate and was referred to the Interstate Commerce Committee. They had extended hearings on the bill and reported it to the Senate. It was on the calendar of the Senate during the first session of Congress after the incoming of the present administration. It remained there until that session adjourned. It remained there during the entire short session, and no effort whatever was made to pass the bill.

I have always regretted, and have so expressed myself to a great many of my Democratic friends in this body, that some action was not taken upon this bill; but it seems that all at once a change came over the majority, and they decided that the bill should not become a law. There is no doubt but what the strong hand which stopped the progress of this legislation was extended across its path from the White House. While the Senator from Nevada regrets that if legislation of this kind should be taken up now politics might enter into it, I fear that if not the object, at least the real thing that is intended to be accomplished by this resolution is partisan. I fear that it is going to be used by the Democratic Party in the coming campaign as an excuse for not legislating not only upon that subject but upon others. It seems to me, therefore, that there is more politics in passing it than there is in defeating it.

The Democratic platform adopted at the Baltimore convention contained this provision:

We favor such legislation as will effectually prohibit the railroads, express, telegraph, and telephone companies from engaging in business which brings them into competition with their shippers or patrons; also legislation preventing the overissue of stocks and bonds by interstate railroads.

I presume the President of the United States was trying to avoid the consequences of that particular provision of the platform when, on December 7, 1915, in his official message to Congress he used this language:

In the meantime may I make this suggestion? The transportation problem is an exceedingly serious and pressing one in this country. There has from time to time of late been reason to fear that our railroads would not much longer be able to cope with it successfully as at present equipped and coordinated. I suggest that it would be wise to provide for a commission of inquiry to ascertain by a thorough canvass of the whole question whether our laws as at present framed and administered are as serviceable as they might be in the solution of the problem.

Further on he says:

It seems to me that it might be the part of wisdom, therefore, before further legislation in this field is attempted, to look at the whole problem of coordination and efficiency in the full light of a fresh assessment of circumstance and opinion as a guide to dealing with the several parts of it.

I presume, Mr. President, that this resolution has been introduced by the Senator from Nevada with a view to carrying out that recommendation of the President. In other words, the President advised that before any further legislation be had an investigation should be had; and now we are brought face to face with the proposition that in carrying out that suggestion we shall enter upon an investigation that will perhaps take up two or three years. At least, it will go beyond the campaign now before us.

But, Mr. President, in connection with the President's advice that we should not further legislate on these matters, I want to read from another message that he delivered soon after he became President, while perhaps the pledge in the Democratic platform was fresher in his mind. That was on January 20, 1914. The one I have read from was delivered December 7, 1915, nearly two years after this from which I shall now read.

In that official message the President used the following language:

In the second place, business men as well as those who direct public affairs now recognize, and recognize with painful clearness, the great harm and injustice which has been done to many, if not all, of the great railroad systems of the country by the way in which they have been financed and their own distinctive interests subordinated to the interests of the men who financed them and of other business enterprises which those men wished to promote. The country is ready, therefore, to accept, and accept with relief as well as approval, a law which will confer upon the Interstate Commerce Commission the power to superintend and regulate the financial operations by which the railroads are henceforth to be supplied with the money they need for their proper development to meet the rapidly growing requirements of the country for increased and improved facilities of transportation.

Between the delivery to Congress of this message in which the President advocates this legislation, and the other message, delivered over a year later, in which he asks us not to legislate but to investigate, what has taken place? Instead of this committee being appointed to investigate as provided in this resolution, we ought to have the committee investigate to see why the President changed his mind. We ought to have the committee investigate to give information to the country as to why, following soon after his election to that great office, he advocated in good faith carrying out that provision of the platform upon which he was elected, and then, in the face of the next campaign in which he wants to be reelected, he comes again officially before Congress and asks us to stay our hands. There is fruitful ground for investigation if this committee wants to undertake it.

Mr. President, I propose to show that the President knew what he said and was right in the message that he delivered in December, 1914, and that he had absolutely closed his eyes in the face of abundant evidence, for some reason known to himself alone, when he delivered the other. If you will search through his messages, you will find at no place any reason that he has given why he wanted to confer that authority upon the Interstate Commerce Commission in December, 1914, and why he wanted to withhold it in June, 1915.

Mr. President, for many years the Interstate Commerce Commission has been asking Congress for authority to superintend the issuing of stocks and bonds by interstate railroads. There is an abundance of evidence officially in the records of the Interstate Commerce Commission to convince any man, I think, that there is some legislation, as the President said in his message, that ought to be enacted. He said, in December, 1914—

Business men * * * recognize, and recognize with painful clearness, the great harm and injustice which has been done to many, if not all, of the great railroad systems by the way in which they have been financed and their own distinctive interests subordinated to the interests of the men who financed them.

I am going to show, I think, that that was and is the case. I want to say, to begin with, that I would not go as far as the President did in his condemnation of the financial conditions of the railroads. It may be that he had more information than I have. If he did, there is all the more reason why there should be an investigation made as to why he has taken it all back. I would not charge, as he intimates—he does not charge it directly, but he intimates—that this has been true of many, if not all, of the great railroad systems.

Mr. President, as far as I know, there are many of the great railroad systems of the country that are operated upon an honest, fair business basis; and it is only because I should like to see remedied the condition that has applied in the past to some of the railroads, by which financial pirates have ruined some of the greatest railroad systems of the world, that I am taking the floor now and calling the attention of the Senate to the fact that no investigation is necessary. Investigations have been made, and I am going to produce to-day some of the evidence that those investigations have brought forth.

Every railroad, being a quasi-public institution, ought to be managed with absolute honesty. Many of the difficulties with which honest railroads as well as others have been confronted have come about because of the rotten financial management and control that has resulted in the ruin of some great systems of railroads and in taking away from thousands and thousands of honest stockholders the earnings of a lifetime.

Every railroad stock and every railroad bond ought to be as substantial and as good as a Government bond. If we had honest management of the finances of the railroads of our country, that would be the case. Then any man with savings, any trustee with trust funds, would be able to invest in the stocks or bonds of railroads knowing that the investment was going to be honestly dealt with, honestly handled, and that there would be no danger of some financial manipulation going on

behind the scenes by which he might be absolutely ruined. As it has been, it has been more or less a gambling operation to invest in stocks or bonds of interstate railroads.

That is the condition I want to remedy, and I am appearing now as a friend to honest railroads. I should like to have a law passed that would put behind the bars men who steal millions, the same as you put behind the bars men who steal pennies.

Mr. President, the Interstate Commerce Commission transmitted a report January 26, 1914, showing the result of their investigation of several railroads known as the Frisco System. I am only going to quote brief extracts from these various reports, because if I made no attempt to brief it would take days to produce all the evidence that is at hand. They say:

The difficulties of the Frisco were of a financial and not of an operating character.

There is the difficulty. That has been the cause of the downfall of railroads. That is the reason why honest railroads often have a difficult time to get money. It is because honest people are afraid to invest their money in the stocks and bonds.

In this Frisco case the Interstate Commerce Commission go on to show how the men who were controlling the finances of the railroads ruined it; how they organized syndicates composed of financial men outside and the officers of the railroad itself inside, and through these syndicates bought and invested in various things—branch railroads, stocks, and bonds. After summarizing various of these investments they sum up one part of their report as follows:

The profits realized by syndicates and trust companies on the sale of the Frisco were as follows.

Then they itemize the different corporations in which they had improperly and wrongfully invested the money which belonged to the stockholders, making a total loss in that one item alone of \$8,444,706.51.

They go into details with some of the companies. Here is one of them, and I am going to read only their conclusion. After they had examined the evidence and made an investigation of one company they say:

Organizing the new company and disposing of the securities through this syndicate was not a labor of love on the part of those who composed the syndicate. The commissions received by them amounted to \$494,894.44, and their profits on subscriptions were \$1,783,207.15.

This syndicate, composed of officers of the company mainly who were occupying positions of trust, who if they had been honest ought to have represented the stockholders, who were all drawing salaries for their positions, and some of them large salaries—this syndicate went into some land business. The commission gave it in detail here, and they say:

The land deals, the cash bonuses, and the syndicate's exploitations resulted in a profit to the syndicate of \$892,487.21.

And they wind up:

The effect of the entire transaction was that the syndicate secured a profit of \$3,011,929.75, which included the profits on land, the cash donations, and the syndicate's operations.

Mr. President, it would be interesting, if I wanted to take the time to go through this report and show in detail how each one of these things was operated. It is sufficient to say that in every instance it was done by men who were occupying positions of trust and who were drawing salaries from the stockholders whom they were robbing.

If the Senator from Nevada hired me and paid me a salary for the purpose, let us say, of buying horses, and I went out and bought a team for \$400 and then turned it over to him at \$800 I would be called a robber and a thief. I would be arrested and sent to jail. But if other officers, with myself, who were officers of an interstate railroad, holding in trust the finances of thousands and thousands of honest people, knew of some property that that railroad perhaps ought to have and could buy it for a million dollars, and if then, with my other associates also drawing a salary, we would buy it for a million dollars and turn it over to our employer for \$2,000,000, I would be doing just exactly what time and time again has been done by the financial pirates who have made fortunes for themselves by practically stealing it, not from an ordinary person but from some persons for whom they were occupying positions of honor and trust and were paid immense salaries.

Mr. President, the committee does not need to investigate. They can have access to this evidence. They can get it. The President probably knew something about it when he delivered that first message, when fresh from his victory he was anxious to carry out the pledge he made to the people and asked us to enact a law. He knew it then. He has forgotten it now.

Mr. BORAH. Mr. President—

Mr. NORRIS. I yield to the Senator from Idaho.

Mr. BORAH. I do not want to interrupt the continuity of the Senator's argument, but sometime before he takes his seat I suggest this question: Does not the proposition as presented by the appointment of this committee raise a different question, and that is the question whether or not regulation and control is not of itself breaking down, whether or not that is the proper system and method to deal with the transportation question? In other words, does not the President—perhaps I should not refer to the President, because I do not know just what his views are on this question, but do not those who seek now, after 20 years of experience in reference to regulation and control, to reenter upon the question of investigation admit by that proposition that they are really investigating the question whether regulation and control is the proper method by which to deal with the railroad question?

Mr. NORRIS. Mr. President, I might just as well answer that now as at any time. As I said at the beginning, I would have no objection to this investigation being made if I was sure that it was not going to be used as an argument against any legislation of this kind in the future. The investigation along the lines suggested by the Senator from Idaho would be valuable. It would be a good thing to engage on, but while we are investigating these same things which I have already pointed out, and more that I am going to point out may be going on all over the country, do we want to practically say by our silence that while we believe in punishing the man who robs his neighbor or who steals his purse we are in favor of remaining quiet while men rob millions that have been contributed in pennies, often by widows and orphans? Not only that, but it has the effect of ruining or at least injuring all honestly managed railroads in the United States.

Mr. BORAH. Mr. President—

Mr. NORRIS. I yield to the Senator.

Mr. BORAH. I was led to submit that question to the Senator by reason of the fact that there is much argument being adduced in these days to the effect that the regulation and control of transportation through commissions is a failure. I want to read, with the permission of the Senator, an authority upon this question, so that it may receive his attention before he closes:

Governmental control, which we are undertaking so extensively and with so light a heart, sets up not a reign of law, but a reign of discretion and individual judgment on the part of governmental officials in the regulation of the business of stock companies owned by innumerable private individuals and supplying the chief investments of thousands of communities. I can see no radical difference in principle between governmental ownership and governmental regulation of this discretionary kind. Regulation by commission is not regulation by law, but control according to the discretion of governmental officials. Regulation by law is judicial, by fixed and definite rule, whereas regulation by commission is an affair of business sense, of the comprehension and thorough understanding of complex and various bodies of business. There is no logical stopping place between that and the actual conduct of business enterprises by the Government.

Such methods of regulation, it may be safely predicted, will sooner or later be completely discredited by experience. Commissions in the future as in the past will reflect rather public opinion than business discretion. The only safe process, the only American process, the only effective process is the regulation of transactions by the definite prohibitions of law, item by item, as experience discloses their character and their effects, and the punishment of the particular individuals who engage in them.

Mr. President, there is a statement of a defect in the subject of regulation or control by commissions at all, which I apprehend is one of the things into which this committee is going to inquire. In my judgment we must assume there is a deeper problem than that which appears upon the face of this movement.

Mr. WEEKS. The Senator from Idaho did not quote his authority. He said it was distinguished authority. I should like to have it quoted.

Mr. BORAH. I have been criticized here so much for being familiar with the President's writings, I thought I might permit it to stand upon its own merit. That is a statement from the President made some several years ago.

Mr. NORRIS. I think we all understood it was from the President.

Mr. BORAH. But I presented it here for the reason that it seems this committee has no occasion to go into the investigation of facts as to what law we should have if we are going to continue to regulate and control public corporations through commissions. We have sufficient facts, as the Senator is demonstrating, beyond question, to legislate now.

Mr. NORRIS. That is my idea.

Mr. BORAH. It must be, Mr. President, that this committee proposes to go into the deeper and profounder question whether or not regulation and control is the proper method to deal with transportation.

Mr. NORRIS. I would be glad to have them investigate that; I would be glad to get any information we can; but as to whether we ought to have some legislation now, I do not believe there can be any doubt.

The Interstate Commerce Commission investigated the New Haven road. They have two reports on the New Haven road and they are both exceedingly interesting.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from North Carolina?

Mr. NORRIS. I yield to the Senator.

Mr. SIMMONS. I was not giving the Senator my attention during the first part of his speech, and I wanted to inquire of him whether at any stage of his speech he has indicated what additional legislation he thinks we ought to have?

Mr. NORRIS. I have not, but I am going to do so before I get through.

Mr. SIMMONS. If the Senator had not so indicated at some other point in his speech I was going to ask him, before he finishes his remarks, if he would do so.

Mr. NORRIS. I intend to do that before I get through, and if I should forget to do it, I would be glad to have the Senator from North Carolina or some one else call my attention to the fact that I have forgotten it.

When I was interrupted I was about to make some comments and read some facts from the report of the Interstate Commerce Commission on the New Haven road, and again the trouble is all financial. In other words, like the commission said in regard to the Frisco system, the trouble is with its financial operation. It is because the men who control the finances of the railroads have not been fair but in many cases have been downright dishonest that we have many of the receivers and much of the congestion and much of the difficulty that now stares the country in the face in the interstate transportation problem. The Interstate Commerce Commission say:

June 30, 1903, the total capitalization of the New Haven Co. was approximately \$93,000,000, of which \$79,000,000 was stock and \$14,000,000 bonds. The mileage then operated was 2,040 miles. On June 30, 1912, the capitalization, excluding stock premiums, was \$417,000,000, an increase of \$324,000,000, while the operated mileage was 2,090, an increase of 50 miles.

So they go on somewhat in detail and analyze their statement and wind up with this language:

This would leave the sum of \$204,000,000 which in nine years had been expended in operations outside its railroad sphere. This fact of itself is a most significant one, which, standing alone, might well require explanation. Attention is here directed to some of the purposes for which and the manner in which this vast sum has been invested.

Then they start out and show the various investments that were made. They organized, like the men in managing the Frisco did, various subsidiary corporations, bought and sold subsidiary railroad stocks and bonds, steamship lines, navigation companies, steamboats, and other things. In speaking of the New York, Westchester & Boston Railway as one of the subsidiary companies where they spent a lot of this money, the commission said:

Here, therefore, is an enterprise which has cost the New Haven Co. \$12,000,000 in excess of the value of its property upon its own showing. Again the question arises, What has become of this \$12,000,000? In case of the Rhode Island Co. it was possible to locate the corporation, if not the individual, which had ostensibly obtained the money, but in this case it is impossible from anything upon the books of the New Haven Co. to do this even approximately. So far as those records go this money has vanished into thin air.

The New Haven Co., or those who controlled its finances, had a great deal to do with the company organized by Mr. Billard, and after going over that at some length they say:

It may be that the true inwardness of this transaction is not yet understood; but the accounting officers of the New Haven Co. have been heard in testimony, the president of that company has been heard in explanation, and upon this record as it stands the New Haven Co. has given away of the funds of that company to Mr. Billard and his associates or to the stockholders of the Billard Co., whatever that may be, between \$2,500,000 and \$3,000,000 of the property of the New Haven Co.

In another place the commission say:

The purpose, or at least the effect, of this New Haven bookkeeping is to utterly becloud those operations so as to render any intelligent understanding of them almost impossible. If the thing done is legitimate, why not do it in a direct way? If the purpose be honest, why clothe it in the habiliments of the mountebank? The mere fact that such methods are employed inspires distrust. No man can examine the history of the New Haven Co. for the last nine years without a feeling of doubt and uncertainty. The use of such methods in the management of public utilities should not be tolerated.

In a further investigation, Mr. President, made by the commission of this same railroad, printed July 15, 1914, the commission further commented upon the financial operation of this great

system of railways, one of the greatest systems in the world. They use this language:

The New Haven system has more than 300 subsidiary corporations, in a web of entangling alliances with each other, many of which were seemingly planned, created, and manipulated by lawyers expressly retained for the purpose of concealment or deception. Ordinarily in investigations of this character evidence is easily adduced by placing the witnesses upon the stand, but in this investigation the witnesses other than the accountants for the commission were in the main hostile, and with few exceptions their testimony was unwillingly given.

The result of our research into the financial workings of the former management of the New Haven system has been to disclose one of the most glaring instances of maladministration revealed in all the history of American railroading.

You do not need to have any committee make an investigation in order to ascertain those facts. A commission, better equipped to investigate than any committee either of the Senate or of the House, have given you not only their conclusions, but all of the facts; they have presented all of the evidence, and it is accessible to every Member of Congress. The commission further say:

The difficulties under which this railroad system has labored in the past are internal and wholly due to its own mismanagement. Its troubles have not arisen because of regulation by governmental authority. Its greatest losses and most costly blunders were made in attempting to circumvent governmental regulation and to extend its domination beyond the limits fixed by law.

The subject matter of this inquiry relates to the financial operation of a railroad system which, on June 30, 1903, had a total capitalization of approximately \$93,000,000, of which \$79,000,000 was stock and \$14,000,000 bonds. In the 10 years from June 30, 1903, this capitalization was increased from \$93,000,000 to \$417,000,000, exclusive of stock premiums, or an increase of \$324,000,000. Of this increase approximately \$120,000,000 was devoted to its railroad property and was expended for betterments and equipment. This leaves the sum of \$204,000,000, which was expended for operations outside of its railroad sphere. Through the expenditure of this sum this railroad system has practically monopolized the freight and passenger business in five of the States of the Union. It has acquired a monopoly of competing steamship lines and trolley systems in the section which it serves. The financial operations necessary for those acquisitions and the losses which they have entailed have been skillfully concealed by the juggling of money and securities from one subsidiary corporation to another.

They further say:

SIGNIFICANT INCIDENTS.

Marked features and significant incidents in the loose, extravagant, and improvident administration of the finances of the New Haven as shown in this investigation are the Boston & Maine despoliment; the iniquity of the Westchester acquisition; the double price paid for the Rhode Island trolleys; the recklessness in the purchase of Connecticut and Massachusetts trolleys at prices exorbitantly in excess of their market value; the unwarranted expenditure of large amounts in "educating public opinion"; the disposition, without knowledge of the directors, of hundreds of thousands of dollars for influencing public sentiment; the habitual payment of unitemized vouchers without any clear specification of details; the confusing inter-relation of the principal company and its subsidiaries and consequent complication of accounts; the practice of financial legerdemain in issuing large blocks of New Haven stock for notes of the New England Navigation Co., and manipulating these securities back and forth; fictitious sales of New Haven stock to friendly parties with the design of boosting the stock and unloading on the public at the higher "market price"; the unlawful diversion of corporate funds to political organizations; the scattering of retainers to attorneys of five States, who rendered no itemized bills for services and who conducted no litigation to which the railroad was a party; extensive use of a paid lobby in matters as to which the directors claim to have no information; the attempt to control utterances of the press by subsidizing reporters; payment of money and the profligate issue of free passes to legislators and their friends; the investment of \$400,000 in securities of a New England newspaper; the regular employment of political bosses in Rhode Island and other States, not for the purpose of having them perform any service but to prevent them, as Mr. Mellen expressed it, from "becoming active on the other side"; the retention by John L. Billard of more than \$2,700,000 in a transaction in which he represented the New Haven and into which he invested not a dollar; the inability of Oakleigh Thorne to account for \$1,032,000 of the funds of the New Haven entrusted to him in carrying out the Westchester proposition; the story of Mr. Mellen as to the distribution of \$1,200,000 for corrupt purposes in bringing about amendments of the Westchester and Port Chester franchises; the domination of all the affairs of this railroad by Mr. Morgan and Mr. Mellen and the absolute subordination of other members of the board of directors to the will of these two; the unwarranted increase of the New Haven liabilities from \$93,000,000 in 1903 to \$417,000,000 in 1913; the increase in floating notes from nothing in 1903 to approximately \$40,000,000 in 1913; the indefensible standard of business ethics and the absence of financial acumen displayed by eminent financiers in directing the destinies of this railroad in its attempt to establish a monopoly of the transportation of New England. A combination of all these has resulted in the present deplorable situation in which the affairs of this railroad are involved.

THE NEW YORK, WESTCHESTER & BOSTON RAILWAY CO.

They say that is one of the subsidiary companies—

The Westchester is a story of the profligate waste of corporate funds. The road was not necessary as a part of the New Haven system. It parallels other lines already owned by the New Haven and traverses territory which the New Haven already served. That it was recognized as unnecessary by the New Haven itself at its inception is evidenced by the fact that the New Haven sought an injunction to restrain the construction of this road on the specific ground that it was not in answer to any public necessity and paralleled its already existing line.

The enormous sum of \$36,434,173.25 was expended for a road only 18.03 miles in extent, which is being operated at an annual loss of

approximately \$1,250,000, and which will have to increase its earnings four and one-half fold before it can pay its operating expenses and fixed charges. It is inconceivable that this enterprise could have been entered into by the New Haven as a result of the mandates of good judgment and proper railroading.

I have been reading mostly the summarizing by the Interstate Commerce Commission of the various enterprises. I want to read some of the details of one of them. As an incident in one of these transactions, where they had spent millions of dollars in getting this short railroad—and it was necessary, I judge, by reading between the lines, to control a lot of politicians—they expended over a million dollars in this operation. The commission said:

In explaining how these negotiations were conducted, Mr. Mellen testified that it was intended that one share of New Haven stock should be exchanged for three shares of Westchester stock.

Just before this he testified that Westchester stock was worth about 10 cents a pound; it was practically worthless; and they were giving one share of New Haven for three shares of worthless stock.

When the New Haven stock was not immediately at hand he issued to the messenger who brought Westchester stock a duebill, which was in terms an order on himself to pay on demand to bearer the specified number of shares of New Haven stock or its equivalent in cash at \$150 per share, with accrued dividends. Many of these duebills were not presented until Mr. Mellen's connection with the New Haven was severed, and five of them, aggregating \$50,000, approximately, are still outstanding. During the time the duebills were outstanding Mr. Mellen collected the dividends on the New Haven stock which they represented, and at each dividend period unknown messengers would appear in his office at the Grand Central Station, in New York City, and demand these dividends, which Mr. Mellen would then pay with his personal checks, so drawn that the identity of the persons cashing them could not be ascertained.

And thus they spent in this way to unknown persons more than a million dollars.

Witnesses who were officers of some of these companies appeared before the commission and testified that they acted as "dummies" under the directions of Robbins and of attorneys selected by him.

And, by the way, Robbins was an attorney of the New Haven road, getting a salary from that corporation.

Some of them handled, without any knowledge of the nature or purpose of the transactions, checks approximating \$3,000,000.

In speaking of the Billard Co., the commission says:

All the assets of the Billard Co. belong to the stockholders of the New Haven Railroad. All the money sunk in its operations belonged to the New Haven Railroad.

A suit should be maintainable by the New Haven against Billard and all who have participated in this fraud upon the stockholders.

I read that opinion of the Interstate Commerce Commission right there for the purpose of emphasizing the need of legislation that will permit an action by the ruined corporation, and, if not by the corporation, then by the stockholders, against the persons who have committed the wrong to recover the damages they have sustained.

Mr. KENYON. Mr. President—

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. KENYON. Does the Senator know of any existing law under which that can be done?

Mr. NORRIS. I presume there is such a law. I presume under the laws of the States, probably, that kind of an action could be maintained; but the practical difficulty of applying it renders it almost an impossibility, as has been demonstrated in the New Haven case. There were some suits instituted there, but nothing has ever been recovered.

Mr. KENYON. I introduced, some years ago, a bill along that line, which was pretty carefully drawn by those who thought they knew the subject; but it rests in the usual mausoleum for bills of that character.

Mr. NORRIS. But the Senator does not think, therefore, does he, that we ought to spend two or three more years investigating to see whether we ought to have that kind of a law?

Mr. KENYON. I think we have enough evidence on that subject now.

Mr. NEWLANDS. Mr. President—

The PRESIDING OFFICER (Mr. SMITH of South Carolina in the chair). Does the Senator from Nebraska yield to the Senator from Nevada?

Mr. NORRIS. Yes.

Mr. NEWLANDS. I will ask the Senator from Iowa—

Mr. NORRIS. I would prefer that the Senator would direct his question to me. I do not want to yield the floor.

Mr. NEWLANDS. Then I will ask the Senator from Nebraska to ask the Senator from Iowa whether he pressed the bill to which he referred before the Interstate Commerce Committee. I have no recollection of the consideration of that bill being urged.

Mr. NORRIS. Since the Senator from Nevada has asked that question, I will let the Senator from Iowa answer it.

Mr. NEWLANDS. I wish to say to the Senator from Iowa that I always give very great consideration to any urgency upon his part for the consideration of any measure.

Mr. KENYON. I want to answer that in this way: I introduced, I think three or four years ago, a bill to give the Interstate Commerce Commission power to make uniform classifications in freight rates. That bill passed the Senate and went to the House. The railroads then became very active and hearings were had in the House, but the bill did not pass the House and Congress adjourned. I introduced the bill again at the next session of the Senate, and it went to a subcommittee, by whom hearings were held, lasting nearly all summer, but I have never heard what became of the bill. My experience with it was so absolutely discouraging that I have not pressed it as perhaps I should have done, but in view of the argument now being made I shall try to do so. In the meantime I would be glad if the Senator from Nebraska would ask the chairman of the Interstate Commerce Committee what has become of the bill giving to the Interstate Commerce Commission the right to make uniform classifications?

Mr. NEWLANDS. I will state that I will send over to the committee and ascertain what the status is at present. I can not recall the exact status of that bill.

Mr. NORRIS. I shall have more to say, Mr. President, a little later on, when I get through with these citations, about legislation of the nature of that in regard to which the Senator from Iowa has interrogated the chairman of the committee.

Mr. NEWLANDS. I will state to the Senator from Nebraska that the Senator from Arkansas [Mr. ROBINSON] is able to furnish the information for which he asks.

Mr. ROBINSON. Mr. President—

Mr. NORRIS. I prefer not to be led off on another issue.

Mr. KENYON. Mr. President, it seems to me the Senator from Nebraska ought to be willing to have the Senate furnished with the information.

Mr. NORRIS. Well, I will yield. Go ahead.

The PRESIDING OFFICER. To whom does the Senator yield?

Mr. NORRIS. To anybody; to the Senator from Arkansas first.

Mr. ROBINSON. I merely desired to answer the inquiry made by the Senator from Iowa [Mr. KENYON] as to what action had been taken concerning the bill to authorize the Interstate Commerce Commission to make a uniform classification of freight rates.

During the last Congress the bill was referred to a subcommittee of which I was chairman, and prolonged hearings were had upon the bill. The subcommittee reached the conclusion that no legislation should be had at that time, for the reason that the classification is now being made by the carriers themselves. The work is progressing with a fair degree of rapidity, and to impose that additional work on the Interstate Commerce Commission, as now organized, would simply overwhelm them with burdens which they could not perform satisfactorily either to themselves or to the public.

So far as I know, no action has been taken concerning the measure since its reintroduction during the present Congress by the Senator from Iowa.

Mr. KENYON. Mr. President—

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. KENYON. May I inquire of the Senator from Arkansas if any report of that kind was filed with the committee?

Mr. ROBINSON. No, sir. No report was made.

Mr. NORRIS. Mr. President, in speaking of "dummy" corporations the Interstate Commerce Commission uses this language:

The frequency with which dummy corporations and dummy directors appear in this record leads to the conclusion that some one high in the councils of the New Haven had an obsession upon the subject of the utility of such sham methods. The directors of the Billard Co. confessed that they were dummies and knew nothing of its operations. Why men of respectability and standing as these appear to be should lend their names as dummies passes comprehension.

In the organization of one of the steamship companies the young lady stenographer was made president, and a youth of 21 years of age by the name of Grover Cleveland Richards—

I presume it was on account of his name—

was selected as treasurer of another company. Clerks and irresponsible persons were drawn upon to supply the demands for dummies in the financial joy riding by the management of the New Haven.

Thus, throughout the entire story of deception, the New Haven management vainly endeavored to hide the true facts behind these dummy individuals and dummy corporations.

While stock in the New Haven road was listed on the New York Stock Exchange a large portion of its funds were invested in "blue-sky" corporations, the officers of which knew nothing of the purposes or assets of the companies of which they were managers or officers.

The Senator from Illinois referred to one of the officers of the Frisco Road—and, by the way, he was also an officer of the Rock Island—going before a Republican club and making a speech. I want to read what the commission have to say about the politics of this railroad. They say:

The New Haven Railroad had no politics. It was Democratic in Democratic States and Republican in Republican States. As Mr. Mellen testified, its effort was always to "get under the best umbrella."

Then follow several contributions that were made for political purposes. Often in their examination they found that these contributions and expenditures were not traceable directly to political parties and political committees, but from various circumstances, and from the fact that no other explanation could be made, and circumstantial evidence bearing upon the particular transaction, they were of the opinion that they had been used for political purposes, or at least for purposes beyond what they ought to have been used for.

Mr. SHERMAN. Mr. President—

Mr. NORRIS. I yield to the Senator from Illinois.

Mr. SHERMAN. Does the Senator regard the report of the Interstate Commerce Commission as trustworthy and sufficient?

Mr. NORRIS. I regard the report of the Interstate Commerce Commission as trustworthy. Unless there were some circumstances surrounding the case that would throw some suspicion on it, I consider that it would be just as trustworthy as a decision of the Supreme Court of the United States.

Mr. SHERMAN. The Senator knows of no such circumstances?

Mr. NORRIS. Not in this case nor in any other case to which I will refer. There have been charges in the railroad rate case that improper influences were used and had some effect, but I am not referring in any way to that case.

In summing up the investments in one of these subsidiary companies the commission say:

From all of the foregoing and from a careful consideration of the method in which expenditures, not specified herein, have been made, it is submitted that a reasonable estimate of the loss to the New York, New Haven & Hartford Railroad Co. by reason of waste and mismanagement will amount to between \$60,000,000 and \$90,000,000.

The splendid property of the New Haven Railroad itself will be called upon for many a year to make up the drain upon its resources resulting from the unpardonable folly of the transactions outside the proper field in which stockholders supposed their moneys were invested. But honesty and efficiency of management of this property as a railroad only will, undoubtedly, in time, restore its former standing.

You will notice here that they say that their losses are between \$60,000,000 and \$90,000,000. In another place in the opinion they said that the amount of money belonging to the New Haven stockholders improperly used was \$204,000,000. Of course in this investment of \$204,000,000 outside of railroad business proper there was some saved, resulting, as they say here, only in a net loss of between sixty and ninety million dollars.

Now, I want to read the conclusion that was reached by the commission in this case:

This investigation has demonstrated that the monopoly theory of those controlling the New Haven was unsound and mischievous in its effects. To achieve such monopoly meant the reckless and scandalous expenditure of money; it meant the attempt to control public opinion; corruption of government; the attempt to pervert the political and economic instincts of the people in insolent defiance of law. Through exposure of the methods of this monopoly the invisible government which has gone far in its efforts to dominate New England has been made visible. It has been clearly proven how public opinion was distorted; how officials who were needed and who could be bought were bought; how newspapers that could be subsidized were subsidized; how a college professor and publicists secretly accepted money from the New Haven while masking as a representative of a great American university and as the guardians of the interests of the people; how agencies of information to the public were prostituted wherever they could be prostituted in order to carry out a scheme of private transportation monopoly imperial in its scope.

Most of the directors of the New Haven accepted their responsibilities lightly. They failed to realize that their names gave confidence to the public and that their connection with the corporation led the public to invest. When these directors were negligent and serious losses resulted therefrom they were guilty of a grave dereliction of duty and a breach of trust that was morally wrong and criminal in its fruits.

Here are some of the recommendations they made:

Directors should be made individually liable to civil and criminal laws for the manner in which they discharge their trust. A corporation can be no better or worse than those who operate it. It should be just as grave a crime to plunder stockholders or the public through a railroad corporation as it is to personally rob an individual.

They conclude by saying:

The insuring of honesty throughout the management of the great railroads of the country is a most important question before the people to-day, and only when through exposure of wrongdoing and an awakened public conscience coupled with effective laws this result is produced, may railroading be placed upon the high level that it should occupy. The revelations in this record make it essential for the wel-

fare of the Nation that the reckless and profligate financiering which has blighted this railroad system be ended, and until this is fully done there will be no assurance that the story of the New Haven will not be told again with the stockholders of some other railroad system as the victims.

I submit, Mr. President, that to put that recommendation into law requires no investigation of an extended nature by a joint committee of the House and the Senate.

I wish to conclude what I have to say by reading some extracts from another report of the Interstate Commerce Commission, made in the case of the Rock Island Railroad. In order that we may first get an idea as to just exactly what the Rock Island is, I will read a paragraph from the beginning of the opinion:

In 1902 the main line of the Chicago, Rock Island & Pacific Railway Co. extended from Chicago to Denver, with branch lines to St. Paul, Minneapolis, and Kansas City. The territory served is one of the richest and most prosperous in the country and the system's ramification of branch lines insures to it a large volume of tonnage. It was then thriving and its prospects were promising, its stock selling in the markets of the world at more than \$200 a share. In 1914 the shares had fallen to \$20 and the road is now in receivers' hands. The evidence shows that the earnings of the railway company have steadily increased, and that in 1914 they were the largest in its history.

And yet it went into the hands of a receiver.

It seems to me that that simple statement tells a story that we ought to heed, Mr. President. In 10 years the stock of this company fell from \$200 to \$20 a share, and then the company went into the hands of a receiver, as they show in here, altogether and entirely on account of financial mismanagement. The earnings increased every year, and last year, 1914, they were greater than they had ever been in the history of the company.

Much the same method was used here by the officers of the company that was used in the other cases to which I have referred. We find that these men who were getting salaries from this railroad company were continually organizing syndicates for the purpose of buying subsidiary corporations, dealing in various things, using the money of the railroad company to do it with, and always making a profit out of it themselves. I believe there is one instance, at least, where one man became the agent of the other corporation to sell it, so that he got a commission from the other corporation for making the sale and he got a commission from the Rock Island Co. for making the purchase, in addition to which he drew his own salary. Many of the salaries, in my judgment, were much larger than they ought to have been, even though the officers had been faithful to their trust.

The officers of this railroad company, in addition to practicing the methods pursued in others of buying from some other company and selling to the company which they represented, gave direct bonuses to themselves; and the Interstate Commerce Commission gives some illustration about it.

Following are specific instances shown of record of the contributions referred to:

J. E. Gorman, first vice president in charge of freight and passenger traffic, was secretly paid \$18,750 per annum, making his total compensation \$43,750, whereas the pay roll showed \$25,000.

C. A. Morse, chief engineer, received a salary of \$15,000 per annum and a secret bonus of \$3,000 on the first of each year.

Upon the retirement of R. A. Jackson as general solicitor, he was given \$100,000 in cash.

As an inducement to L. F. Loree, chairman of the executive committee, to relinquish, after 10 months' service, a joint contract with the railway company and the Frisco under which he was to receive a salary of \$75,000 per annum for a period of five years, and in addition was to be paid a bonus of \$500,000 at the expiration of the contract, he was given bonds of the railway company of a par value of \$450,000. This was borne equally by the two companies, and the proportion of the railway company was charged to profit and loss. The total amount borne by the railway company in this transaction exceeded \$250,000.

C. H. Warren, vice president, was given by the railway company \$150,000 in par value of the common and \$105,000 in par value of the preferred stock of the New Jersey company and \$50,000 in cash. There was no board authorization for the latter expenditure, the item being represented in the records of the railway company merely by a voucher signed by D. G. Reid.

The New Jersey corporation was a subsidiary of the railroad company.

R. R. Cable, a member of the executive committee, received from the railway company \$30,000 in bonds of the Iowa company—

That was another subsidiary company—

then worth \$24,500, for his services in the acquisition of the Burlington, Cedar Rapids & Northern Railway Co., and he was paid by the latter company \$85,000 in the same transaction. Mr. Cable also received another contribution, which will be referred to later.

Robert Mather, vice president, was given \$25,000 in cash. George T. Boggs, director and secretary of the board of directors of the railway company, was given \$15,000 in cash when he retired from the secretaryship of the railway company.

Then they appropriated several millions of stock of their own company. After they increased the capital stock of the Rock Island to \$10,000,000 at one time and several millions at another and used the proceeds for the purposes for which it was issued and had some stock left, they divided it among themselves. So

that these men who were occupying positions of trust for this company and drawing large salaries—I have a list of their salaries—were continually robbing the people whom they were expected to represent.

Speaking of some voucher payments, some irregular payments, they say:

Another voucher in favor of the Liberty National Bank of New York City, in exchange for a cashier's check issued to Robert Mather for \$25,000, is charged to "general expenses" under "operating expenses." This voucher refers to a miscellaneous file shown by the index thereto to have comprehended "contributions to campaign committee." The file, however, was not produced.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands.

Mr. UNDERWOOD. Mr. President, a small measure that I was interested in was reported this morning when I was out of the Chamber attending a committee meeting.

Mr. NORRIS. Will the Senator yield to me?

Mr. UNDERWOOD. I will.

Mr. NORRIS. I should like to ascertain if the Senator wishes to take the bill up now?

Mr. UNDERWOOD. I do.

Mr. NORRIS. I should like to ask my colleague [Mr. HITCHCOCK] and the Senator from Nevada [Mr. NEWLANDS] if they will not agree to temporarily lay aside the unfinished business, or if I shall be recognized by the Chair I can proceed with the matter which has been before the Senate.

Mr. NEWLANDS. I will say that I prefer the Senator shall proceed with his speech, because I promised the Senator from Utah that I would not ask unanimous consent that the unfinished business be laid aside this morning.

Mr. NORRIS. Then, if I can get recognition, I will proceed.

The PRESIDING OFFICER. The Senator from Alabama [Mr. UNDERWOOD] has the floor.

Mr. UNDERWOOD. I will explain to the Senator from Nebraska that I was not here this morning because I was attending a meeting of a subcommittee of the Committee on Appropriations which is considering the urgent deficiency appropriation bill. At 2 o'clock the subcommittee meets again and I shall have to return.

Mr. NORRIS. I am glad to yield to the Senator.

Mr. UNDERWOOD. I should like to ask unanimous consent for the present consideration of Senate joint resolution No. 76, which has been favorably reported from the Committee on Military Affairs.

Mr. HITCHCOCK. I think it will then be necessary for me to ask unanimous consent that the unfinished business be temporarily laid aside for the purpose stated by the Senator from Alabama.

Mr. UNDERWOOD. I thank the Senator.

Mr. SMOOT. That is not necessary.

Mr. HITCHCOCK. I make that request.

The PRESIDING OFFICER. It is not necessary, as the Senator from Alabama after the regular order was called up obtained the floor and asked unanimous consent for the immediate consideration of the joint resolution. It does not displace the unfinished business.

Mr. HITCHCOCK. I can not consent to that course because it would displace the unfinished business. I ask that my request be put first.

Mr. SMOOT. No, it would not displace the unfinished business unless it led to discussion and we were discussing the joint resolution at the time we adjourned. Then it would displace the unfinished business.

Mr. HITCHCOCK. I am aware of that.

The PRESIDING OFFICER. The Chair will put the request of the Senator from Nebraska to the effect that the unfinished business be temporarily laid aside by unanimous consent for the specific disposition of the joint resolution in hand. Is there objection? The Chair hears none, and it is so ordered.

LOAN OF TENTS AND COTS.

Mr. UNDERWOOD. Mr. President, I ask the Senate to proceed to the consideration of the joint resolution (S. J. Res. 76) authorizing the Secretary of War to loan 1,000 tents and 1,000 cots for the use of the encampment of the United Confederate Veterans to be held at Birmingham, Ala., in May, 1916.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Utah?

Mr. UNDERWOOD. I should like to make a short statement as to the purpose of the joint resolution. It is in the usual

form. It has been customary in the past when these encampments were held, either by the Grand Army of the Republic or by Confederate veterans, to loan to them tents and cots. The joint resolution I have now called up is prepared in the same form as other measures that have been passed in years gone by. Accompanying it there is a letter from the Secretary of War stating that the property will be available, and the joint resolution provides that the persons getting the tents for this encampment shall give bond for their safe return to the Government without injury. It is necessary to pass it at this time, so that they may be advised as to whether they can have the use of tents for the purpose of the encampment.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent for the immediate consideration of the joint resolution. Is there objection?

Mr. SMOOT. Wait just a minute, until I read the letter from the Secretary of War. [After a pause.] I do not object.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INTERSTATE AND FOREIGN COMMERCE.

Mr. NORRIS. Mr. President—

Mr. NEWLANDS. Will the Senator from Nebraska permit me to give a notice that to-morrow, at the expiration of the morning business, I shall call up the pending joint resolution?

Mr. NORRIS. Continuing the reading where I was interrupted, the commission says:

Without this file it is impossible to state the purpose for which the money was expended, but the generalization "contributions to campaign committee," in the light of the practices indulged in by the syndicate in question, is clearly suggestive.

The books of the railway company reveal payments aggregating \$44,066.05 to the Denver Post. The vouchers attached read, "for advertising in editorial and news columns." Other entries show that three of these vouchers, aggregating \$20,000, cover a refund that this newspaper received at the rate of 25 cents per hundred on its freight carried over the lines of the railway company from points in Wisconsin.

Another voucher is for \$50,000 to S. M. Felton, for the railway's proportion of amount "paid by E. H. Harriman and his associates for money expended by them to secure the discontinuance of a line of road being constructed in 1900 between Peoria, Ill., and Clinton, Iowa, as per agreement between R. R. Cable, chairman of the board, and E. H. Harriman."

The commission, in considering an arrangement which this company had then with the St. Louis & San Francisco Railway, wind up their comment by saying:

The final result of this transaction is that the railway company has sustained a loss estimated to be about \$6,500,000.

Speaking of another deal they say:

Its net loss from this transaction, including interest, was \$906,420, and this, added to its loss in connection with the other coal company above referred to—

This was in regard to the purchase of the stock of another coal company—

makes a total loss of more than \$1,300,000 as a result of its coal deals. If the advances to the coal companies can not be collected it will result in an additional loss of \$2,500,000.

Bear in mind, Mr. President, that when this loss occurred to the railway company the officers of the railroad company composing the syndicate that was in the deal always made what the railroad company lost.

The aggregate losses sustained by the railway company in connection with the foregoing transactions may be summarized as follows.

And then they itemize it. I will put those in the Record, with the permission of the Senate, without reading.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

AGGREGATE OF LOSSES.

The aggregate losses sustained by the railway company in connection with the foregoing transactions may be summarized as follows:

Expenses of maintaining and housing holding companies, more than	\$290,000.00
Prisco deal, approximately	6,500,000.00
Alton deal, approximately	6,370,000.00
Trinity & Brazos Valley Railway deal, more than	4,500,000.00
Consolidated Indiana and Dering coal companies, at least	1,300,000.00
Contributions or gratuities to officers and directors, about	1,000,000.00
Venner transaction	217,000.00
Miscellaneous and unexplained expenditures	72,523.45

These items show an aggregate loss to the railway company of more than \$20,000,000. In addition thereto, it is to be noted that prior to June 30, 1914, the railway company paid to financial institutions, in connection with the issuance of bonds, commissions aggregating more than \$1,600,000, and suffered discounts of more than \$17,700,000.

Mr. NORRIS. Now, they were unable to get all the facts in regard to all these transactions. In one case Mr. Reid, when

interrogated with a view to ascertaining his profits from the various transactions, explained that he always burned his books at the end of each month. Mr. Reid was one of the board of directors, and he drew a salary of \$32,000 a year.

In speaking of the deal with the Consolidated Indiana Coal Co. they say:

Although R. A. Jackson, vice president and general counsel of the railway company, was receiving a salary of \$50,000 a year, he was paid \$10,000 by the railway company to draw up the incorporation papers—

Of another company, remember.

The price paid for the coal property owned by the consolidated company was estimated to be substantially more than it was actually worth, and ever since its incorporation it has been operated at a loss.

Prior to June 30, 1914, the railway company had made advances to the coal company aggregating \$2,354,453.19. The railway company received interest on these loans at the rate of 4 per cent per annum, computed monthly, up to June 30, 1910, when all such interest payments were discontinued. The loss on the part of the railway company attributable to this venture can not be computed exactly, but the loss in interest charges alone since 1910 has amounted to more than \$400,000. As the operation of the coal company has for some time been conducted at a loss, there is little prospect of the railway company being reimbursed for the advances made by it.

Now, Mr. President, this railroad company went into the hands of a receiver. This syndicate, organized mainly by men who were officers of the company, put it in the hands of a receiver when it was unnecessary to go there, and they did it because it was to their financial profit to do it. The commission said:

The syndicate decided to put the railway into a receivership—

Now listen to this—

The general counsel of the railway company, at the suggestion of W. H. Moore, a member of the syndicate, drew the bill asking for a receivership, and engaged an attorney, ostensibly to represent the other side. The bill was placed in the hands of this attorney, with the name of the complainant omitted, and he was instructed by the general counsel to locate some creditor of the railway company willing to act as complainant.

Now, here were the officers of a railroad company, drawing large salaries, going around over the country to find a creditor of the company who would make a complaint asking for the appointment of a receiver. They draw the papers and put them in the hands of another attorney and send him out to hunt such a person who was willing to be made plaintiff. Here we find the officers of the company hunting some one to bring suit against them, and when they found him they confessed judgment in the suit they persuaded him to bring. This is high finance with a vengeance. We ought to tell the President that no investigation is necessary to remedy such highway robbery.

But let us read further of the doings of these financial comedians. The commission go on as follows:

There was an agreement between the general counsel and this attorney as to the parties the latter would recommend to the court as receivers, the general counsel agreeing to instruct the attorney appearing for the railway company to acquiesce in the recommendation so made.

The board of directors of the railway company was not informed of the intention to file a bill for receivership, and at no meeting of the board was any authority ever given for such action. Members of the board of directors not in the confidence of the syndicate were kept in ignorance of the fact that such a bill had been prepared. The stockholders had no information of the purpose to put the railway company into a receivership, although a stockholders' meeting was held after the date upon which the receivership bill was completed by the general counsel, and this general counsel attended the meeting. According to the testimony, the bill was completed by the general counsel March 29, 1915, and the fact that it was to be filed whenever desired by those in authority was known only to certain insiders. The testimony clearly establishes the fact that the railway company could easily have paid the debt of \$10,000 upon which the receivership application was based, and that arrangements probably could have been made to meet all pressing obligations of the railway company.

The creditor at whose instance the receivership application was filed appeared as complainant by request. R. P. Lamont, the president of the American Steel Foundries, the complainant, testified that he would not have thought of bringing such a proceeding against the railway company unless he had understood that it would be regarded as not unfriendly, but as a friendly act to oblige the railway company. He only consented that his company should appear as complainant when he was assured that this course was in accordance with the wishes of the railway company and that his company was not to have any care or expense in the preparation of papers or payment of counsel fees. The suit was not a bona fide proceeding to collect a debt, but was instituted to carry out the purpose and schemes of the syndicate controlling the railway.

It is a forceful commentary on the methods by which a great railway may be manipulated into a receivership when it is noted that the general counsel, after drawing the bill for a receivership, sold his stock, and the local counsel, who represented the railway company in the receivership proceedings, owned no stock in the railway company, and that none of those directly participating in the receivership proceedings had any financial interest in the railway company. The real owners of the railway, the stockholders, the security holders, and the directors, except those composing the syndicate and in its confidence, were in ignorance of the receivership application.

The property of the railway company will be called upon for many years to make up the drain upon its resources resulting from transactions outside the proper sphere in which stockholders had a right to suppose their moneys were invested. This record emphasizes the

need of railway directors who actually direct. There are too many passive directors who acquiesce in what is being done without knowledge and without investigation. A director of a railroad is a quasi public official who occupies a position of trust. A director who submits blindly to the exploitation of his company is a party to its undoing, and he should be held responsible to the same extent as if he had been a principal instead of an accessory before the fact. The greater his prominence the greater his responsibility and the greater his dereliction. Obviously a man of large affairs could not attend to all the details in intricate transactions, but it is inconceivable that a director of ordinary business prudence and sagacity would sanction large expenditures without an inquiry as to the purposes of such disbursements. So long as this situation exists, however, it suggests the need of a law to charge such directors with individual responsibility for the dissipation of corporate funds.

There is a recommendation to the committee of the need of a law to charge the directors with individual responsibility for the dissipation of corporate funds. Now, they conclude:

The Clayton Antitrust Act—

Says the commission—

which becomes effective October 15, 1915, will make it unlawful for any person at the same time to be a director in two or more competing corporations, any one of which has a capital, surplus, or undivided profits aggregating more than \$1,000,000, but common carriers are expressly exempted from its application. It should be just as grave an offense for an official of a railway to be faithless to his trust for financial gain as it is for an elected official of the Government to betray his trust for money reward.

By this case the need of some limitations—

Here is another recommendation—

on the issuance of stocks and bonds by common carriers, whether directly or through holding-company devices or otherwise, is again demonstrated.

Mr. President, in this case the men who were occupying positions of trust, employees of the corporation, after they had run the value of the stock of the Rock Island road in 10 years from \$200 down to \$20, not satisfied with that, formed a syndicate composed of themselves and some financial men outside the railroad company with the deliberate purpose of putting the railroad company in the hands of a receiver. Their own attorney, drawing a salary paid by the stockholders, drew at their direction the bill to file in the court asking that a receiver be appointed.

Then he went out and hunted a man who was a creditor and brought him back as the complainant in the case. This was unknown to the balance of the directors. It was unknown to the stockholders, although that general attorney, drawing a salary, as I said, was present at a stockholders' meeting with that bill in his pocket. Secretly they combined to do this and to hold off until they manipulated the stock that they owned, as the report said, and made money out of it, and then filed the bill, and made no objection, of course, on the part of the railroad company, although the commission says it was a fictitious suit, and consented to the appointment of a receiver, and had an arrangement in advance that some of the very conspirators who were in it, not satisfied with the ill-gotten gains they had made so far, should be appointed receivers.

Mr. NELSON. Mr. President—

Mr. NORRIS. I yield to the Senator from Minnesota.

Mr. NELSON. What was the name of that attorney?

Mr. NORRIS. He was at the time the general counsel of the railroad company. I do not see his name here. I do not believe I have the name of the general attorney.

Mr. KENYON. Mr. President—

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. KENYON. I think the Senator does an injustice to one very good man. The receivers appointed for the Rock Island were not both of them conspirators.

Mr. NORRIS. No; I do not think they were.

Mr. KENYON. I understand it was arranged that the conspirators should be appointed, but the court rather shocked the financial looters by appointing Judge Dickinson as one of the receivers. The other receiver since that time has retired and is defendant in a suit brought against himself and several others by Judge Dickinson, as receiver, for a great many million dollars.

Mr. NORRIS. I am very much obliged to the Senator from Iowa. I perhaps would have forgotten to mention that; I, of course, do not want to do any injustice to Judge Dickinson. My judgment is that he is perfectly competent and perfectly honest, and he is doing very good work as receiver.

Mr. KENYON. I know that Judge Dickinson opposed it just as much as the Senator would have done.

Mr. NORRIS. I submit that the conspirators never had Judge Dickinson in mind. They had their own men alone in mind, and they instructed the other attorney they employed to represent the other side to consent. But it is true, as the Senator from Iowa says—and I am very glad that he has said it—the court refused to carry out the disreputable scheme, and appointed Judge Dickinson as one of the receivers.

Mr. KENYON. The Senator is familiar, is he not, with this suit that Judge Dickinson as a receiver has brought against these eminent men?

Mr. NORRIS. I knew the suit was pending, and I think it is still pending.

Mr. President, the Senator from North Carolina [Mr. SIMMONS], who was honoring me with his presence but has gotten weary and retired, asked me if I was going to suggest any remedy.

Mr. President, I wish to suggest a remedy. The Interstate Commerce Commission has suggested it in various opinions I have read, but in the syllabus of one of the cases they substantially specify what they think ought to be done. I want to read that:

In the opinion of the commission the following propositions lie at the foundation of all adequate regulation of interstate railroads: (a) Every interstate railroad should be prohibited from expending money or incurring liability or acquiring property not in the operation of its railroad or in the legitimate improvement, extension, or development of that railroad; (b) no interstate railroad should be permitted to lease or purchase any other railroad, nor to acquire the stocks or securities of any other railroad, nor to guarantee the same, directly or indirectly, without the approval of the Federal Government; (c) no stocks or bonds should be issued by an interstate railroad except for the purposes sanctioned in the two preceding paragraphs, and none should be issued without the approval of the Federal Government.

Mr. President, there has been a bill of mine pending before the Interstate Commerce Committee since January 9, 1914, that I think specifically meets the suggestion made not only by the Interstate Commerce Commission, but that would commend itself to any man who would read the evidence and the reports of the investigation made by the Interstate Commerce Commission in the various railroads to which I have alluded. We ought to have a law, and we can have it. We ought to have it, it seems to me, without any further investigation than is necessary to put the bill itself in proper shape so as to do the things that they have marked out. In addition I think it ought specifically to provide that the corporation injured shall have an action against the persons who do the injury, and that if the corporation itself refuses to take the necessary steps, any stockholder can take such steps, and in such a case he ought to be allowed to recover as part of the judgment attorney fees.

The same bill has been introduced in this Congress. It is S. 3669. It provides—

That it shall be unlawful for any common carrier, subject to the provisions of this act, to purchase, either directly or indirectly, the stock or the corporate property of any other corporation without having first obtained the consent in writing of the Interstate Commerce Commission. The Interstate Commerce Commission shall not grant such consent until after investigation and examination it is satisfied that the ownership of such stock or corporate property is not intended as a device or subterfuge, and that the same is fairly necessary for the purpose of carrying out the proper and legitimate objects and duties of such common carrier.

Any officer—

Now we come to the penalty. It seems to me that that is important, and in this bill there is in every instance a criminal penalty—

Any officer, member of the board of directors, or other official or employee of such common carrier who shall use any of its funds, or vote in favor of the use of such funds, to acquire the stock or other property of such subsidiary corporation without the consent in writing as aforesaid of the Interstate Commerce Commission having been duly given, shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding \$1,000 and be imprisoned in the penitentiary for a term of not less than six months nor more than two years.

Will any honest director object to that? Can there be any possibility of injuring any such man if that were placed on the statute books? If that had been on the statute books, do you suppose these things would have happened? It would have been impossible, particularly if one of the other sections were placed there, to conceive that men, in the face of that kind of law, would have violated it.

I believe, Mr. President, if this had been on the statute books the story of the New Haven and Frisco and Rock Island would not have been necessary. They would have been doing now what they were doing when the conspirators undertook to ruin them, a legitimate, profitable, and honest business.

Here is another section:

SEC. 20b. That the board of directors of every common carrier subject to the provisions of this act shall keep correct and accurate minutes of all the proceedings of said board. Such minutes shall clearly show, without any equivocation or concealment, the expenditures of all moneys authorized to be expended, a correct description of all properties purchased, all contracts entered into, and all other business transacted by said board. Such minutes shall at all times be open to the inspection of any stockholder and to the inspection of the Interstate Commerce Commission and its duly authorized agents. In the discretion of the Interstate Commerce Commission such minutes or any part of the same may be made public.

Then follows a penalty for the violation of that provision.

Mr. President, if those two sections had been on the statute books the sad tales that are only illustrative of the possibilities which may exist under our laws as they stand now could not have been told.

Would such provisions injure an honest man? Can any honest director say that by any possibility he could have been injured if he was doing his duty honestly, if this had been the law?

There are two other sections in this bill, Mr. President, meeting the other conditions which the Interstate Commerce Commission has shown ought to be remedied. I ask, without reading it, that the entire bill may be printed as a part of my remarks.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The bill referred to is as follows:

A bill (S. 3669) to amend section 20 of an act to regulate commerce, approved February 4, 1887, as amended, to provide for certain penalties, and for other purposes.

Be it enacted, etc., That section 20 of an act entitled "An act to regulate commerce," approved February 4, 1887, as amended, be further amended by adding to said section 20, sections 20a, 20b, 20c, and 20d, as follows:

"SEC. 20a. That it shall be unlawful for any common carrier, subject to the provisions of this act, to purchase, either directly or indirectly, the stock or the corporate property of any other corporation without having first obtained the consent in writing of the Interstate Commerce Commission. The Interstate Commerce Commission shall not grant such consent until after investigation and examination it is satisfied that the ownership of such stock or corporate property is not intended as a device or subterfuge, and that the same is fairly necessary for the purpose of carrying out the proper and legitimate objects and duties of such common carrier.

"Any officer, member of the board of directors, or other official or employee of such common carrier who shall use any of its funds, or vote in favor of the use of such funds, to acquire the stock or other property of such subsidiary corporation without the consent in writing as aforesaid of the Interstate Commerce Commission having been duly given, shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding \$1,000 and be imprisoned in the penitentiary for a term of not less than six months nor more than two years.

"SEC. 20b. That the board of directors of every common carrier subject to the provisions of this act shall keep correct and accurate minutes of all the proceedings of said board. Such minutes shall clearly show, without any equivocation or concealment, the expenditures of all moneys authorized to be expended, a correct description of all properties purchased, all contracts entered into, and all other business transacted by said board. Such minutes shall at all times be open to the inspection of any stockholder and to the inspection of the Interstate Commerce Commission and its duly authorized agents. In the discretion of the Interstate Commerce Commission such minutes or any part of the same may be made public.

"Any officer of such common carrier, or member of the board of directors thereof, or secretary or other officer of said board, who shall conceal any item of expenditure of money, or purchase of any property, or make any false notation or entry in the books or records of such common carrier for the purpose of such concealment, or who shall assist in making any attempt to conceal the same so that the expenditure of said money or the purchase of said property shall not be fairly and honestly shown by the records of such common carrier, shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding \$5,000, and shall be imprisoned in the penitentiary for a term of not less than 1 year nor more than 10 years.

"Any officer or member of the board of directors of such common carrier, or any person acting as fiscal or financial agent of the same, who shall, either directly or indirectly, instruct, advise, or request any official or employee of said common carrier to make any false or misleading record or entry upon the books or records of said common carrier, with the purpose of concealing or covering up any expenditure of any money or the acquisition of any property or of the perpetrating of any other deception in connection with the business of such common carrier, shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding \$10,000, and be imprisoned in the penitentiary for a term of not less than 3 years nor more than 12 years.

"SEC. 20c. That any officer, member of the board of directors, attorney, agent, or other employee of any common carrier subject to the provisions of this act who shall, either directly or indirectly, pay any money, or give any ticket or pass, or other property of such common carrier to any public official of the United States, or of any State, county, municipality, or district, for the purpose of influencing or controlling such official in the performance of any official act, or who shall use any of such funds or property of such common carrier for the purpose of wrongfully and fraudulently influencing or controlling any National, State, county, or municipal board or commission, or other public official in the granting, changing, or withholding of any privilege, right, claim, franchise, or right of way, or who shall use any of the money, tickets, passes, or other property of such common carrier for the purpose of influencing or controlling any political committee, convention, primary, or election, shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not exceeding \$10,000 and shall be imprisoned in the penitentiary for a term of not less than 1 year nor more than 15 years.

"SEC. 20d. That any person guilty of any of the offenses charged in section 20a, section 20b, or section 20c shall be personally liable to said common carrier and to the stockholders thereof for any loss or damage resulting from such illegal act, and the stockholders of said common carrier, either singly or collectively, are hereby authorized to maintain an action in any court having jurisdiction for the recovery of such loss or damage. If, after being requested so to do by any stockholder, the officials of such common carrier refuse or neglect to begin such action, and the same is commenced by a stockholder or stockholders and judgment is rendered in his or their favor, the expense of such litigation, together with fair and reasonable attorney fees, shall be a lawful claim against such common carrier, and can be recovered in any court having jurisdiction."

Mr. NORRIS. Mr. President, in conclusion let me ask, Is any investigation necessary by a joint committee to gather additional evidence? Is it not up to us to remedy the situation? How can men longer delay when time after time the instrumentalities of government which we have provided by law have called our attention and the attention of the world to these financial conditions that can be so easily remedied by the enactment of a simple statute? Does any man doubt that they ought to be remedied? Is there any man who wants to stand up here or elsewhere and say that the story that can be told of these railroads, as the Interstate Commerce Commission intimates, may be told any day with regard to another railroad? It seems to me, in the face of platform pledges made by our Democratic friends, in the face of the official recommendation of the President that we should meet this proposition, that we ought to pay no attention to the other recommendation of the Chief Executive, wherein he turns his back upon the course that he had so bravely started out to follow, and asks us to be silent.

Mr. President, I fear, if this resolution is enacted, that from now on we shall always be met, when we undertake to remedy this situation, with the proposition that this is a subject under investigation by a joint committee and that, therefore, we shall do nothing.

It seems to me that the time to act is now; that before this Congress adjourns we ought to enact some law that would remedy this situation, though there are those who say that we have legislated too much in reference to the railroads and other corporations and do not need any further legislation. If it was harassing, that objection might be good; but this is not adding any difficulty to regulation. It is simply compelling men who occupy positions of trust to be honest; that is all. No man ought to object to that, unless he wants to indulge in such financial operations as have brought ruin to many of these stockholders.

It is not only stockholders, as everybody knows, who are ruined and injured, but, of course, the general public in the end are also injured; other investors are injured; honest railroad men are injured; honest men who want to make honest investments in railroad stocks and bonds are injured, because under the present conditions they do not want to go into a gambling institution and run the risk of losing their savings.

THE GOVERNMENT OF THE PHILIPPINES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands and to provide a more autonomous government for those islands.

Mr. VARDAMAN. Mr. President, it seems to me that anything I may say in support of the bill now before the Senate, together with the amendment proposed by the learned Senator from Arkansas [Mr. CLARKE], would be a twice-told tale vexing the dull ears of a drowsy Senate. I have been very much interested and entertained by the multiplicity of plans and the variety of programs for the settlement of this great problem. The point from which the question is viewed by different Senators and the widely varying shades of thought and conclusions presents rather an interesting psychological phenomenon.

I am reminded of a plan proposed by a black-faced comedian whom I heard some weeks ago. Borrowing from Mr. Dooley, he said that when Dewey sank the Spanish fleet in Manila Bay, he did not know whether the Philippines were canned goods or islands, but now he said he knows they are islands; he knows they are an issue, and he knows they are "a darned nuisance." He said, however, that he was not in favor of selling them to Japan or of giving them to Russia or to China, but he believed in home consumption and home production, and he was going to the next Democratic convention and propose a plank for the platform which would provide that we should swap these islands to England for Ireland and raise our own policemen. [Laughter.] That seems to me just about as reasonable and in accord with the eternal fitness of things as some of the other plans which have been proposed for the settlement of this problem.

Mr. President, it is rather unfortunate that every question considered by the Senate these days must bear the burden or take the coloring of the Senatorial mind upon what is called "Preparedness"—a term which I fear will stand out in American history as a colossal marker of the turning point in the life of this Nation. Well, I rather think the Philippine question has something to do with "preparedness." There is no doubt in my mind, while I have no fear whatever, and do not think any nation beneath the stars is thinking about or has ever seriously thought about attacking the United States through the

Philippine Islands—still as a matter of fact if such an attack is contemplated by any nation, or if an attack should be made at any time in the future by a foreign power, there is no question but that the Philippine Islands would be the Achilleian heel at which they would first shoot. It is the most vulnerable point in all of the American possessions. The remoteness from our shores and the heterogeneity of the population all contribute to the vulnerability of the situation. I do not think, however, that we ought to be moved in the settlement of this problem by apprehension of remote contingencies or difficulties which may arise in the future, all of which seem to be magnified by the distorted visions of statesmen who are apparently suffering from the effects of abnormal environment.

I repeat emphatically, that I do not believe there is a nation on earth that ever thought seriously of taking the Philippine Islands from the United States, and I am very sure there is not a nation on earth that could take the Philippine Islands from the United States and hold them against our wishes. As was very eloquently and ably stated by the learned Senator from Idaho [Mr. BORAH], on yesterday, the affluence of whose eloquence and strength of argument always appeals compellingly to me, these questions should be settled upon their own merits—they must be solved, if at all, as they would be in normal times, and the legislative mind should not be moved by the hobgoblins and ghosts that appear in the shadows caused by the crimson torch of war, or the specters in the brains of those who are suffering from the effect of this wave of war lust which is sweeping over the country and temporarily dethroning the reasons of men throughout the world. Let the deliberate judgment of the American statesmen, unmoved by fear, unclouded by the greed for gain, undisturbed by the lust for power, or the pride of empire, assume the reins of government and settle these questions for the future as well as for the immediate present. We should not forget that to-day, well lived, will have a far-reaching effect upon the affairs of to-morrow.

Mr. President, I have endeavored to think profoundly, and I do feel deeply, on this question of "preparedness." There are fundamental objections to it which the superficial observer, I fear, may overlook. Beneath the gilded crest are concealed pernicious policies which will override, indeed absolutely destroy, the vital principles of Democracy, and, unless we shall be careful, overthrow our free institutions. I am one of those who believe that to do the biddings of predatory interests, the goal of whose every effort is big profits, or to follow the lead of the military experts whose natural leanings are for a greater Navy and bigger Army, whose tastes naturally lead them rather to prefer absolute to free government—I say for this administration to follow the lead of such influences will be a mistake, the disastrous consequences of which posterity shall be unable to correct. To express my opposition to "preparedness," as that term is now understood, with its train of inevitable evils, I find it rather difficult to command language. The poverty of my own vocabulary causes me to reach out for help. That my feelings may be vocalized and my thoughts uttered I am going to adopt the language of another whose genius for expression is world renowned, as the better expression of my own views. That which I shall quote from him came as the limpid water from the spring of pure Democracy, unclouded by the mud of politics and untainted with the poison of personal interests. The craving for reelection—the lure of place—the pride of power—and the flattery of pampered interests had not fastened their clammy clutches upon his heart and fired his ambition. The arguments he made then are unanswerable, because he stated the truth, unalloyed by selfish interest. Speaking on the question of "preparedness," the necessity for quadrupling our Army and doubling our Navy, thus outraging the genius of our Government, violating the history and traditions of the Democratic Party, and as the legitimate consequence of illegitimate conditions, piling up higher, and higher still, the burden of taxation upon the backs of the toiling millions of this country, that distinguished citizen said:

"It can not be discussed without first answering some very searching questions. It is said in some quarters that we are not prepared for war. What is meant by being prepared? Is it meant that we are not ready upon brief notice to put a nation in the field, a nation of men trained to arms? Of course we are not ready to do that; and we never shall be in time of peace so long as we retain our present political principles and institutions. And what is it that it is suggested we should be prepared to do? To defend ourselves against attack? We have always found means to do that and shall find them whenever it is necessary without calling our people away from their necessary tasks to render compulsory military service in time of peace.

"Allow me to speak with great plainness and directness upon this great matter and to avow my convictions with deep earnestness. I have tried to know what America is, what her

people think, what they are, what they most cherish and hold dear. I hope that some of their finer passions are in my own heart—some of the great conceptions and desires which gave birth to this Government and which have made the voice of this people a voice of peace and hope and liberty among the peoples of the world; and that, speaking my own thoughts, I shall, at least in part, speak theirs also, however faintly and inadequately, upon this vital matter.

"We are at peace with all the world. No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say that there is reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of any other nation we are incapable of. We are not jealous of rivalry in the fields of commerce or of any other peaceful achievement. We mean to live our own lives as we will; but we mean also to let live. We are, indeed, a true friend to all the nations of the world, because we threaten none, covet the possessions of none, desire the overthrow of none. Our friendship can be accepted and is accepted without reservation, because it is offered in a spirit and for a purpose which no one need ever question or suspect. Therein lies our greatness. We are the champions of peace and of concord. And we should be very jealous of this distinction which we have sought to earn. Just now we should be particularly jealous of it, because it is our dearest present hope that this character and reputation may presently, in God's providence, bring us an opportunity such as has seldom been vouchsafed any nation, the opportunity to counsel and obtain peace in the world and reconciliation and a healing settlement of many a matter that has cooled and interrupted the friendship of nations. This is the time above all others when we should wish and resolve to keep our strength by self-possession, our influence by preserving our ancient principles of action.

"From the first we have had a clear and settled policy with regard to military establishments. We never have had, and while we retain our present principles and ideals we never shall have, a large standing army. If asked, Are you ready to defend yourselves? we reply, Most assuredly, to the utmost; and yet we shall not turn America into a military camp. We will not ask our young men to spend the best years of their lives making soldiers of themselves. There is another sort of energy in us. It will know how to declare itself and make itself effective should occasion arise. And especially when half the world is on fire we shall be careful to make our moral insurance against the spread of the conflagration very definite and certain and adequate indeed.

"Let us remind ourselves, therefore, of the only thing we can do or will do. We must depend in every time of national peril, in the future as in the past, not upon a standing army, nor yet upon a reserve army, but upon a citizenry trained and accustomed to arms. It will be right enough, right American policy, based upon our accustomed principles and practices, to provide a system by which every citizen who will volunteer for the training may be made familiar with the use of modern arms, the rudiments of drill and maneuver, and the maintenance and sanitation of camps. We should encourage such training and make it a means of discipline which our young men will learn to value. It is right that we should provide it not only, but that we should make it as attractive as possible, and so induce our young men to undergo it at such times as they can command a little freedom and can seek the physical development they need, for mere health's sake, if for nothing else. Every means by which such things can be stimulated is legitimate, and such a method smacks of true American ideas. It is right, too, that the National Guard of the States should be developed and strengthened by every means which is not inconsistent with our obligations to our own people or with the established policy of our Government. And this, also, not because the time or occasion specially calls for such measures, but because it should be our constant policy to make these provisions for our national peace and safety.

"More than this carries with it a reversal of the whole history and character of our polity. More than this, proposed at this time, permit me to say, would mean merely that we had lost our self-possession, that we had been thrown off our balance by a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparation for trouble. This is assuredly the opportunity for which a people and a Government like ours were raised up, the opportunity not only to speak but actually to embody and exemplify the counsels of peace and amity and the lasting concord which is based on justice and fair and generous dealing.

"A powerful Navy we have always regarded as our proper and natural means of defense; and it has always been of defense that we have thought, never of aggression or of conquest. But who shall tell us what sort of Navy to build? We shall take leave to be strong upon the seas, in the future as in the past; and there will be no thought of offense or of provocation in that. Our ships are our natural bulwarks. When will the experts tell us just what kind we should construct, and when will they be right for 10 years together, if the relative efficiency of craft of different kinds and uses continues to change as we have seen it change under our very eyes in these last few months?

"But I turn away from the subject. It is not new. There is no new need to discuss it. We shall not alter our attitude toward it because some amongst us are nervous and excited. We shall easily and sensibly agree upon a policy of defense. The question has not changed its aspects because the times are not normal. Our policy will not be for an occasion. It will be conceived as a permanent and settled thing, which we will pursue at all seasons, without haste and after a fashion perfectly consistent with the peace of the world, the abiding friendship of states, and the unhampered freedom of all with whom we deal. Let there be no misconception. The country has been misinformed. We have not been negligent of national defense. We are not unmindful of the great responsibility resting upon us. We shall learn and profit by the lesson of every experience and every new circumstance; and what is needed will be adequately done."

Mr. President, I wish merely to add to this quotation, that of all the times in the history of this Republic when our duty to the world demands that this Government shall talk peace, and act peace, and pray peace, and counsel peace, now is the time above all others to do it. If, after this conflagration which is sweeping over Europe, making of that fair land a veritable Golgotha, shall have ceased its ravages, the good offices which we ought to propose as a government to lead the war-mad nations of the earth back into the paths of peace shall be rejected or spurned, we shall have sufficient time then to talk about converting the American Republic into an armed camp. If the arbitrament of the sword must be the supreme law governing the world, the United States Government will be in a position to raise and equip larger armies, build bigger navies, and otherwise prepare ourselves for the great conflict of the future than any other country on the globe. But I am opposed to making this radical departure until we shall have exhausted every honorable and proper effort to lift the nations of the world out of the bogs and mire of brute force and place them upon the high plane of Christian civilization. It strikes me that to entertain any other view and pursue any other course brands our pretended faith in the Prince of Peace as a bloody lie; and our boasted civilization savagery thinly veneered. The extraordinary efforts of the President and other prominent advocates of militarism to force through Congress without proper consideration the "preparedness" bills can be accounted for only upon the theory that they realize, in order to bring about this radical departure from our time-honored custom, the iron must be welded while the war spirit is at white heat. They realize that the extraordinary character of the scheme can only be accomplished while the public mind is in a fevered state. I regard such efforts as a betrayal of the Democratic Party and a capital crime against posterity.

Mr. President, the bill before the Senate at this time carries with it a recognition of the God-given right of the Filipino to govern himself in his own country as his best judgment may dictate and his interests demand. It also redeems a promise which the American people gave to the Filipino when our Army planted the American flag upon that foreign land as an emblem of American authority without extending to its people the protective ægis of the Constitution. Whatever others may think, say, or do, I still believe that nations ought to respect their moral obligations, political parties fulfill their platform promises, sacredly as the private citizen demands that his neighbor shall observe and absolve his voluntarily assumed obligations. I have no more respect for the integrity of a political party, or the leaders of political parties who violate their platform promises, than I have for the integrity of the man who obtains goods under false pretenses, or the fidelity to the law of the highwayman who relieves the innocent wayfarer of his money at the point of a pistol. There can be no two distinct codes of morals for the individual and the Nation. It was thought after the sovereignty of Spain had ceased in the Philippine Islands by force of American arms that it was the duty of the American Government to aid the Filipinos in the establishment of a government of their own. No patriotic citizen of this Republic at that time imagined that the tyranny of Spain was

to be succeeded by American usurpation—our work was altruistic, and the good of the Filipino was the end devoutly sought. We were to assist these people, untrained in the art of self-government, to bring order out of chaos, to establish a government for them, to render just such aid as might be necessary until they should become accustomed to the uses of sovereignty, and after that to retire from the islands, wishing them Godspeed. As an evidence that that was the purpose of the American people, especially those who maintain allegiance to the Democratic Party—the party now in power and commissioned by the American people to direct the affairs of their Government—I am going to ask permission to insert just here as a part of my remarks the planks in the platform of the years 1900 and 1904, 1908 and 1912.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Without objection, permission is granted.

The matter referred to is as follows:

THE PHILIPPINES.

We condemn and denounce the Philippine policy of the present administration. It has involved the Republic in unnecessary war, sacrificed the lives of many of our noblest sons, and placed the United States, previously known and applauded throughout the world as the champion of freedom, in the false and un-American position of crushing with military force the efforts of our former allies to achieve liberty and self-government. The Filipinos can not be citizens without endangering our civilization; they can not be subjects without imperiling our form of government; and as we are not willing to surrender our civilization nor to convert the Republic into an empire we favor an immediate declaration of the Nation's purpose to give the Filipinos, first, a stable form of government; second, independence; and, third, protection from outside interference, such as has been given for nearly a century to the Republics of Central and South America.

The greedy commercialism which dictated the Philippine policy of the Republican administration attempts to justify it with the plea that it will pay; but even this sordid and unworthy plea falls when brought to the test of facts. The war of criminal aggression against the Filipinos, entailing an annual expense of many millions, has already cost more than any possible profit that could accrue from the entire Philippine trade for years to come. Furthermore, when trade is extended at the expense of liberty, the price is always too high. (Platform, 1900.)

IMPERIALISM.

We favor the preservation, so far as we can, of an open door for the world's commerce in the Orient, without an unnecessary entanglement in Oriental and European affairs, and without arbitrary, unlimited, irresponsible, and absolute government anywhere within our jurisdiction.

We oppose, as fervently as did George Washington himself, an indefinite, irresponsible, discretionary, and vague absolutism and a policy of colonial exploitation, no matter where or by whom invoked or exercised. We believe, with Thomas Jefferson and John Adams, that no government has a right to make one set of laws for those "at home" and another and a different set of laws, absolute in their character, for those "in the colonies." All men under the American flag are entitled to the protection of the institutions whose emblem the flag is. If they are inherently unfit for those institutions, then they are inherently unfit to be members of the American body politic. Wherever there may exist a people incapable of being governed under American laws, in consonance with the American Constitution, the territory of that people ought not to be part of the American domain.

FILIPINOS AND CUBANS.

We insist that we ought to do for the Filipinos what we have done already for the Cubans, and it is our duty to make that promise now and upon suitable guaranties of protection to citizens of our own and other countries resident. (Platform, 1904.)

THE PHILIPPINES.

We condemn the experiment in imperialism as an inexcusable blunder which has involved us in enormous expenses, brought us weakness instead of strength, and laid our Nation open to the charge of abandoning a fundamental doctrine of self-government. We favor an immediate declaration of the Nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us, as we guarantee the independence of Cuba, until the neutralization of the islands can be secured by treaty with other powers. In recognizing the independence of the Philippines our Government should retain such land as may be necessary for coaling stations and naval bases. (Platform, 1908.)

THE PHILIPPINES.

We reaffirm the position thrice announced by the Democracy in national convention assembled against a policy of imperialism and colonial exploitation in the Philippines or elsewhere. We condemn the experiment in imperialism as an inexcusable blunder, which has involved us in enormous expenses, brought us weakness instead of strength, and laid our Nation open to the charge of abandonment of the fundamental doctrine of self-government. We favor an immediate declaration of the Nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us until the neutralization of the islands can be secured by treaty with other powers. In recognizing the independence of the Philippines our Government should retain such land as may be necessary for coaling stations and naval bases. (Platform, 1912.)

Mr. VARDAMAN. I do not think anybody thought of our Government remaining in control of the Philippine Islands permanently until the speculator, the financial buccaneer, the commercial bandit caught a vision of what appeared to be opportunities for speculation and the acquisition of wealth. The fertile valleys then occupied by the peaceful natives, the great forests of valuable timber, and the mines buried beneath the mountains in that remote island empire excited the greed and cupidity of the American and stirred to the depths his avaricious spirit—a quality, I am sorry to say, characteristic of

the Anglo-Saxon race. At that moment, and not until then, was born the purpose of permanent occupancy, benevolent American control, and the recognition of our God-imposed duty to lead the Filipino to a state of moral and intellectual excellency which could only be attained after generations of American discipline and control.

It is a peculiarity of human nature that whenever a man or a nation desires to do anything of questionable propriety they at once undertake to discover the unseen hand of Infinity leading them on or beckoning them to come. They always try to charge their diabolism to God Almighty. Rivers of blood have been shed, ambitions frustrated, and hopes blighted in the name of liberty or for the glory of God—while in truth it was all done to serve sinister, selfish ends, promote kingly ambition, or gratify royal vanity. I believe that if the personal profits to be derived from our holding the Philippine Islands were eliminated the opposition to this bill would dwindle in a day, and I want to say just in this connection further, Mr. President, that the longer American sovereignty exists in the Philippine Islands, the further you postpone the day of American withdrawal, the greater will be the vested interests by Americans, and therefore the more stubborn the opposition to restoring independence to the Filipino. Now let us consider for a moment what it has cost the American people in blood and treasure to take the Philippine Islands. It is variously estimated in dollars and cents to be somewhere between six hundred million and a billion dollars up to date, and it will cost something like \$30,000,000 per annum to retain them in the future. That is the cost in dollars and cents, which is trivial compared to the cost in blood. A thousand American soldiers have been sacrificed in subduing the Filipinos and maintaining American authority there. How many brave boys suffering with tropical diseases have become incurably sick and insane, God alone can tell. The Filipinos have suffered also. In addition to having their rights violated, their homes despoiled, their country invaded, and every sense of right and justice outraged, they have suffered grievously in blood. It is stated by Judge Blount in his work on "American Occupation of the Philippines," page 395:

"In Batangas Province alone from 50,000 to 100,000 people died due to war, pestilence, and famine. According to the United States Coast and Geodetic Survey Atlas of the Philippines, Batangas in 1899 had a population of 312,192. The census of 1903 gives the population as 257,715. This means a casualty of 54,477. On December 15, 1901, the provincial secretary of Batangas reported that the war "had reduced to a little over 200,000 the more than 300,000 inhabitants which in former years the Province had."

Mr. Willis, in a work entitled "Our Philippine Problem," page 23, makes this remarkable statement: "Gen. J. F. Bell estimated in 1902 that one-sixth of the natives in Luzon died as a direct or indirect result of the war. This would put the death roll at at least 600,000 persons."

In the name of justice, Mr. President, if our people were not hardened by the greed for gold and the avarice for empire such a statement would so shock their sensibilities that the refusal of Congress to repair in part even at this late day the damage done, would visit upon the Members of Congress the scorpion lash of their disapproval and utter repudiation. And in the face of this fact which I have not heard disputed we are told that we are "holding these people for their betterment—to uplift them, convert them to the Christian faith, teach them the story of the Prince of Peace." I imagine that a religion of love that must be inoculated or taught by the use of a Krag Jorgeson rifle or a gatling gun as the hypodermic syringe with which to inject it will not be accepted with any degree of joy by the benighted savages of the Orient. Oh, no, Mr. President, this Congress can not be deceived by such duplicity, disingenuousness, and insincerity. There was no altruism in taking the islands against the wishes of the inhabitants thereof. There can be no philanthropy in retaining them longer.

I have never been able to understand the brand of a man's morals who would be in favor of robbing the American taxpayers for the purpose of maintaining sovereignty over the Philippine Islands and use the money taken from the American against his consent and force the Filipino to accept our benefactions against his wishes. But Senators tell us while "we ought not to have gone to the Philippine Islands at all; that, having gone there, we can not with grace or propriety retire." Rather strange logic, is it not? We have committed a mistake and committed it in an effort to render an unselfish service, but we can not rectify or correct the error without being guilty of infidelity to a trust. With all due respect, such contention does not arise to the dignity of second-class nonsense. It does not deceive anybody, either. If we made a mistake when we went to the Philippine Islands and drove out the Spaniards, murdered the

Filipinos and usurped the powers of government, the way to correct that mistake is to come away—give back to the Filipinos that which we have withheld from them—leave with them our blessings and sail away to the westward.

Mr. President, if the United States Government had done its duty to the Filipino in the beginning there never would have been a hand raised by the Filipino against American assistance. If we had assured them we were there to assist them in the construction and upbuilding of their own government and the moment we completed that work we were going to retire and leave them to work out their own salvation, assisted by our prayers, precepts, and kindly offices, they would have looked upon us as friends rather than enemies. But they knew we were not there for their betterment, and they know it now. They believed then, and they believed right, that their country was being held in order that certain American citizens might exploit them, rob them of their birthright. And now we are asked, for the good of the Filipino, to add to the crime of plunder the sin of deception. It will not do. There is nothing, however, new or unusual in this entire transaction. History is full of such instances. It is another evidence that human nature does not change. It is the same to-day, yesterday, and forever. But it is contended the Filipino is not capable of self-government. The English historian, Anthony Froude, said: "Popular forms of government are possible only where individual men can govern themselves on moral principles and when duty is of more importance than pleasure and justice than material expediency."

That is the Anglo-Saxon standard. When measured by that standard the Filipino will fall short. But the Filipino must not be measured by the Anglo-Saxon standard for the reason that no other race has ever reached the standard of Anglo-Saxon excellency in the art of self-government. But the Filipino is capable of maintaining a government suitable to his peculiar nature and congenial with his development. Self-government can not be taught. You can not inoculate a man with it as you would administer an anesthetic, nor is it a matter of schoolbook learning. It is rather a capacity born of generations of failures and successes. The evolution of certain truths, wrought by time and trials, that mysterious far-reaching influence of blood, a growing, accumulating, intensifying capacity resulting from generations of practice of the individual until at last it becomes the instinct of the race. No people have ever developed to a high degree the capacity for self-government while they were held as subjects. It is really more a matter of race than education. The illiteracy to-day among the Filipinos, if I have read history right, is not much greater than it was among the Americans when the Constitution of 1787 was adopted, and yet I know it to be a fact that the Filipinos would not be as capable of self-government if every one of them were a college graduate, speaking a half dozen languages, as the Americans were a century and a quarter ago. The fact is I do not believe that the best educated Filipino in the world is as capable of self-government as we practice it in America as the average illiterate sane, sound-minded Anglo-Saxon living in the rural districts of this Republic. Why, Mr. President, the majority of men who extorted the Magna Charta from King John could not read. No, it is not a question of schoolbook learning, but a question of race. Now, as a matter of fact, I do not think the annals of history contain an instance where a mongrel race has ever been able to maintain for any great length of time a stable form of government, and it is not fair to expect too much of the Filipino. Give the Filipino a chance and he will take care of himself—he will work out his own salvation.

Mr. SHAFROTH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. VARDAMAN. I shall be glad to yield to my friend from Colorado.

Mr. SHAFROTH. I should like to suggest to the Senator that some years ago we began to treat the Indians as separate nations, and we made treaties with them. Previous to that time we had great trouble with them, but when we established reservations and told them to go on those reservations, attend to their own affairs, have their own government, elect their own chiefs, and punish their own criminals, except for the crime of murder, they readily did it; and the result has been most wholesome as compared with the conditions which previously existed.

Mr. VARDAMAN. There is not any question in the world about that, Mr. President. I agree with the Senator.

Mr. SHAFROTH. And if the Indians obtained that benefit from administering their own affairs, why would not the same be true of a people who are educated, to some extent at least?

Mr. VARDAMAN. I agree with my friend about it. I agree with the Senator most heartily, and the only way you can develop that capacity is to let them exercise it. I have my serious doubts about the Indian maintaining unassisted a government in the form of our own.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. VARDAMAN. With pleasure.

Mr. SUTHERLAND. Does the Senator from Mississippi or the Senator from Colorado think that the Indians who were upon these reservations were maintaining an independent government, or were they not exercising a sort of local self-government under the absolute control of the United States, precisely what is happening in the Philippines to-day?

Mr. SHAFROTH rose.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. VARDAMAN. I will answer the Senator from Utah. I have no doubt in the world but that the Indians here in America are being treated in the proper way; but I should not be in favor, if the American Indians lived in one of the islands in the Pacific Ocean, of going there and taking charge of them in order to enforce upon them our civilization.

Mr. SUTHERLAND. Let me ask the Senator another question.

The PRESIDING OFFICER. Does the Senator from Mississippi further yield to the Senator from Utah?

Mr. VARDAMAN. With pleasure.

Mr. SUTHERLAND. If the Senator from Mississippi thinks the method of governing Indians by putting them in reservations and giving them a certain measure of self-government was the ideal method, can the Senator tell us why he was in favor—as I assume he was, as practically everybody was in favor—of breaking up the reservation system? It is at an end now.

Mr. VARDAMAN. That has no bearing whatever upon this question. The Indians there violated the trusts that were reposed in them, and it was thought that their wild nature should be restrained. But wherever they have shown any capacity for self-government it has always been wise and prudent to permit them to exercise it.

Mr. SUTHERLAND. Will the Senator tell us why we have not continued to permit them to exercise those powers?

Mr. VARDAMAN. As a matter of fact they do, to a very large extent.

Mr. SUTHERLAND. Oh, we have broken up the reservation system, I think, almost altogether. I do not know of a single reservation of any consequence that is still left.

Mr. VARDAMAN. Why, certainly; they have nearly all been killed out, and we have put the remnant over here in Oklahoma. That would be the effect of the permanent occupancy by the United States of the Philippine Islands. If we hold them indefinitely, it is only a question of time when we would do as we did in the beginning, you know, in order to restrain those who declined to submit to American domination; we simply put them out of the way. People like the Filipino and the Indian always wither in the blasting breath of our benevolent civilization.

Mr. SUTHERLAND. But we have gotten rid of the tribal system in Oklahoma. Those people are merged into our own citizenship.

Mr. VARDAMAN. Yes; and they have very largely been merged, in some instances, into our own race—a fact of doubtful benefit to the country.

A thousand years would not qualify the Filipino for self-government as we have it in America, and it is a waste of time to talk about it, but they are capable of maintaining a government good enough for themselves. And that is what this Congress is primarily interested in now. Just for the information of the Senators I want to call attention to the utterances of some of the leaders of public thought on the Philippine Islands. It shows, Mr. President, that the germ is there. They are—

Troubled with the noble discontent
That stirs the acorn to become the oak.

Analyze the profound thought and patriotic fervor attained by the great leader, Dr. Jose Rizal. He said:

I do not mean to say that our liberty will be secured at the sword's point, for the sword plays but little part in modern affairs, but that we must secure it by making ourselves worthy of it, by exalting the intelligence and the dignity of the individual, by loving justice, right, and greatness, even to the extent of dying for them—and when a people reaches that height God will provide a weapon, the idols will be shattered, the tyranny will crumble like a house of cards and liberty will shine out like the first dawn.

No savage breast ever harbored such sentiments as that, and none other than the brain of a statesman ever conceived such noble thoughts. It is superb. It only shows "they love their land because it is their own, and scorn to give aught other reason why."

But it was not vouchsafed to him to see his dream realized, but just before the end came he expressed this sublime sentiment:

I die without seeing the dawn brighten over my native land. You, who have it to see, welcome it, and forget not those who have fallen during the night.

Mr. President, that indicates a deep yearning for liberty, a longing for freedom—and not the "desolate freedom of a wild ass," as somebody has said, but a burning desire to share in the government of his own country. I could quote at length from others who possessed in a marked degree the divine power of forethought:

"Men who, standing in the shadow of the night, were able to look beyond it, toward the coming light, and see far off with trance-prophetic eyes, the consummation of centuries." To deny such men the free use of their power and the gratification of their ambitions in their own country indicates a degree of selfishness on our part which would cause a man to burn down his neighbor's house to roast his eggs. But, Mr. President, I am not so much interested in the Filipino, however great my interest may be, as I am in our own Government. I would not carelessly violate our implied obligations to the interests in the Philippine Islands of American investors. I should like to make provision to protect those who have invested their money there, but, Mr. President, the question of dollars and cents, the question of personal profits, has no important place in this discussion. To say that the Government of the United States would prostitute its powers, punish an innocent, unoffending people, take from them the right to govern themselves in order that a few American financiers might receive large dividends upon their investments, is an affront to the intelligence, patriotism, and integrity of the American Government. We want to do the best we can for the Filipino, and we would also do the best that may be done for the American investor, but our first obligation is to our own country. The Senator from Idaho [Mr. BORAH] on yesterday read an extract from a chapter in Froide's *Cæsar* which I think is very pertinent to this discussion. The historian says:

If there is one lesson which history clearly teaches it is this: That free nations can not govern subject provinces. If they are unable or unwilling to admit their dependencies to share their own constitution, the constitution itself will fall in pieces from mere incompetence for its duties.

Let us see, to it that our own institutions and our own Government is protected. We should not knowingly do that which will recoil upon us. You can not have one form of government for the Filipino under the American flag and another form of government for the American under the same flag without doing violence to the very fundamentals of our home Government. "Safety first" is my policy. The Filipino is incapable congenitally, racially, unalterably of understanding the genius of our Government. We can not make citizens of them. That fact has been proclaimed by the Democratic Party and has received the constructive approval of the American people. We have experimented with this race question in the United States, and all agree that the body politic can not stand any more of the black virus of incompetency. We all know that race political equality means ultimate social equality—social equality will be followed in turn by race amalgamation—race amalgamation will produce race deterioration—race mongrelization, and that will be followed inevitably by disintegration and death of our civilization. Of course, Mr. President, I am speaking of races as diametrically different as the Negro, the Mongolian, and the white races.

The men and women who conceived our form of government and constructed our Constitution never dreamed we would engage in the business of holding subject provinces. It is therefore our duty to get out of the Philippine Islands and come back home, and come back to stay. In answer to the suggestions of some Senators that this Nation must expand and become a world power, that it is our duty to reach out and lead the benighted into the light, let me say, Mr. President, that is a fine sentiment. I want this Nation to become a world power, but I want it to be a world power for righteousness. I want to see it fulfill the hope and realize the dream of the incomparably great men and women who gave it being. I want to see America the biggest moral example that ever fired the imagination, delighted the human soul, or challenged the intellect of man. I want it to lead the world by its superb example of probity and justice to that high plain where the nations of the earth will adopt the principle of the golden rule rather than the rule of gold to guide them in their inter-

course with each other. I want the American flag to be an emblem of liberty and the token of truth. When I was a boy living in the prostrate and bleeding Southland, after the simoom of war had withered our productive fields and laid waste to our lovely homes, where the gaunt blackened chimneys marked the trace of vandal warfare, our friends of the North were wont to point to the flag with pride and boast that beneath its sacred folds no man should wear shackles. Well, I like to contemplate it in that sense. I like to look upon it as an emblem of liberty, as a pledge of justice, as a guaranty of freedom to the Filipino in his own country as well as to the Americans; but, Mr. President, I am compelled with a sense of shame to admit that instead of the American flag that waves in the tropical breezes above the Philippine Islands being an emblem of liberty to the Filipino, it is an emblem of oppression, and its bright stars are dimmed, its white lines are stained with the tears and blood of an innocent people who have suffered, sacrificed, and died that they might be free and enjoy the liberty of free men in their own country, a privilege which we in America hold more precious than the ruddy drops that feed the patriot's heart. I sincerely hope the amendment proposed by the learned senior Senator from Arkansas [Mr. CLARKE] may be agreed to, and the bill as thus amended passed. The American Senate will honor itself by such an act, and justice at last will have triumphed.

Mr. SHEPPARD. Mr. President, I am always interested in any observations which the junior Senator from Mississippi [Mr. VARDAMAN] offers. He has taken opportunity to express his position in reference to the military and naval policy proposed by the President, and I believe it a good opportunity briefly to state mine.

I stand with the President in his desire for an efficient Army and Navy, such an Army and Navy as are demanded by our national responsibilities, our national rights, and our national existence. We can not blind ourselves to the fact that force is still the final arbiter among the nations. To be without the means of utilizing sufficient force to defend our rights among the nations, our national integrity, and to repel aggression is to court humiliation, misery, oppression, and defeat.

Now, what is the situation? We have said, through the Monroe doctrine, to the already overcrowded nations of Europe that they shall not establish colonies, acquire territory, or extend their system on the Western Hemisphere, with its spacious reaches of rich and undeveloped resources, and this position will arouse increasing antagonism and opposition.

We have said, through our immigration laws and some of our State land laws, to the greater part of Asia—the most populous division of the globe—that its peoples can not have the rights of citizenship in our country, that they can not even come to this country, except as students or visitors, and already this attitude has brought us on one occasion to the very verge of war with Japan. A large portion of our Mexican border is in a state of uncertainty and turmoil, and it is impossible to predict what developments may there occur or how long this condition may continue. It is a well-known fact that last fall we did not have in the entire United States a force half strong enough to cope with conditions on this border.

Furthermore, we have the Philippines, Hawaii, and the Panama Canal. Their protection and defense are imperative.

Again, we are a great exporting Nation, and it is absolutely essential to our economic existence and prosperity that our great export products, such as cotton, wheat, and so forth, have fair treatment on the high seas and in the world markets. In view of these facts, it would be folly to say that we are immune from war. In view of these facts it would be madness, as I view it, not to profit by the lessons of the European war in putting our land and sea forces on an efficient and modern basis.

The first lesson of the European war is the necessity of having sufficient reserve supplies of ammunition and equipment to meet an attack, and attacks generally come suddenly. The President proposes to put our coast-defense fortifications on a proper and secure basis and to acquire sufficient material and equipment for a land force of about 500,000 men. He does not propose a permanent, regular force of 500,000 men, but it is his opinion that we should have sufficient material and equipment on hand for an army of that size.

The President proposes an increase in the Regular Army of 38,000 men, bringing the total to 141,000, a total that will give us a mobile army in continental United States of only about 50,000 men.

In addition, he proposes to ask that a maximum of 133,000 men a year for three years agree to enlist for a military training course of one or two months in each of the three years, the men and officers of this volunteer force to be paid on the same

basis as the Regular Army while in training. They will then be furloughed for three years, with no other obligation than to return to the colors in the event of war or the imminence thereof. This volunteer force has been called the continental army. There is nothing compulsory about it, and if less than 133,000 men respond each year the Government will take them and do the best it can. The total number asked for per year is an average of about 120 men to each congressional district. These volunteers will be trained in their own section of the country.

The Navy plan contemplates such increase as will give us a total strength of 35 capital battleships in five years, with the necessary subsidiary ships. The Secretary of the Navy says that this will in all probability make us third among the nations in naval strength, England being first and Germany second.

The safest insurance against militarism and despotism in our Republic is to have the facilities for national defense on hand and readily available. If we do not have these in ready shape, it will be difficult to assemble them under stress of emergency without centralizing power and imperiling constitutional guarantees. In view of what Europe is suffering, we should congratulate ourselves that we have escaped so far, and should gladly pay the necessary cost of preparedness against war. Nothing will be more effective in preventing war, in securing our contentions and our rights, than knowledge on the part of the world that we are in position to utilize and mobilize in a reasonably quick time an adequate and effective land and sea force.

In raising the necessary funds I am in favor of an inheritance tax, of increasing the income tax, especially on the larger incomes, of an excise tax on munitions of war, and of an excise tax on alcoholic liquors equal to the protective tariff they now enjoy. The necessary funds can easily be raised in this way. As long as we have intoxicating liquors let them be heavily taxed. When they are abolished, as I am sure they will be, the inheritance and income taxes can be so laid as to take the place of the liquor tax. On men like Astor, the baby baron, who have acquired foreign citizenship while their incomes are derived from property protected by this Government, I am in favor of making the income tax double what it is on our own citizens.

I do not understand that the President insists on any particular method of taxation in raising the needed funds except as to an increase of the income tax.

I do not see anything approaching militarism in the President's plan. I am in favor of adequate appropriations for necessary defense, but not one cent for militarism or aggressive war.

I am in favor of the most rigid supervision of all contracts for munitions and supplies in order that exorbitant profits may be prevented, and of the manufacture by the Government itself, to the greatest extent practicable, of these munitions and supplies. It is hardly necessary for me to say that I am not in favor of compulsory service.

Mr. ROBINSON. Mr. President, no doubt there are many citizens of the United States who have business interests in the Philippine Islands and who would therefore like to see the islands permanently retained by the United States.

The American people as a whole, however, believe that the Filipinos should finally have independence. Few advocates of permanent retention by the United States have appeared to express their views or assert a justification for their position.

During the present discussion the Senator from Georgia [Mr. HARDWICK] and others have demonstrated conclusively that the Democratic position on this subject is in favor of granting the Filipinos independence as soon as that can be done with due regard to the interests of our wards as the controlling factor.

While there is some variation in the language contained in the platforms adopted by the Democratic Party in 1900, in 1904, in 1908, and in 1912, no one can fairly resist the conclusion that it is the established policy of our party to permit the Philippine people to establish and maintain their own government upon such principles and policies as in their own opinion will best conserve their happiness and promote their progress. There have been no specific declarations by any political party in the United States against final independence for the Philippines. That policy, if it exists at all in the minds of any of our citizens, is prompted in part at least by selfish financial and commercial considerations, and if fostered or cultivated at all this is done half secretly rather than aggressively.

It seems to be the general conviction of the American people, expressed in speeches in Congress and in political campaigns, in newspaper and magazine articles and in platform addresses, that the permanent domination of the Philippine Islands by the United States is contrary to the spirit of our political institutions, which are based upon the principle that

all peoples should enjoy the right of self-government when they choose to assert that right. The general state of the public mind favors early independence for the Philippines, because our administrative agencies are not peculiarly or specially designed or adapted to the control of dependent Provinces and peoples.

The danger of involving the United States in Asiatic politics through the activities of our Government in the Philippines has been discussed by the Senator from Georgia [Mr. HARDWICK] and the Senator from Illinois [Mr. LEWIS]. When either of these Senators discusses a subject little remains to be said for the cause he espouses. When both of them present substantially the same conclusions, no room is left for opposing arguments. I may be pardoned for adding to what they have said on this particular phase of the question my own assertion that it is the general public opinion that the permanent retention of the Philippines would inevitably involve the United States in Old World controversies, and that our possessions and control of the islands has not added cordiality to our relations with any foreign power. This opinion of the public is the result of general circumstances and conditions rather than the product of specific knowledge touching the subject, but it is nevertheless entitled to consideration in dealing with this subject, for, after all, abstract truth has little influence in controlling the conduct of individuals or of nations. Both are actuated by what they believe to be the truth, and so far as consequences are concerned prejudice is often more powerful in controlling the fate of nations than intelligence. However, I believe that this general conviction of the public that our possessions in the Philippines constitute a menace to our own peace is founded in both reason and fact, as has been established by the arguments of the Senator from Georgia and the Senator from Illinois.

Mr. CLAPP. Mr. President—

Mr. ROBINSON. I yield to the Senator from Minnesota.

Mr. CLAPP. It seems, right there, that we all lose sight of a very important thought—that while the possession of the Philippines by the United States imperils the United States, it is equally true that so long as the Philippines are a part of our possessions that fact imperils the Philippine Islands. The very history of those islands proves that they would not have been touched by the American Government had they not been a part of the possessions of Spain.

Mr. ROBINSON. I was just about to come to that feature of the discussion.

Mr. CLAPP. Then I beg the Senator's pardon.

Mr. ROBINSON. The Senator need not do so. He has expressed the thought better than I could express it myself. I was just about to say that the controlling factor in the consideration of this question is the interests and the rights of the Philippine Islanders themselves, and that the security of the islands from attacks may depend upon the relinquishment of control by the United States rather than the retention of it by the United States.

Another reason, akin to the one that has been so aptly suggested by the Senator from Minnesota, justifying independence for the Philippines is found in the fact that the Filipinos themselves desire independence. This to me is a matter of emphatic importance. If I am correctly informed, the opinion predominates among the Filipinos that they are ready for self-government. When I review the history of the struggle for independence throughout the world, begun by the founders of this Republic and taken up by other peoples inspired by their example, I am convinced that this desire of the Filipinos for independence should be given great weight and should be recognized.

In this connection I refer to the oft-repeated argument that the Filipinos are not "competent" for self-government. I do not undertake, in this brief address, to discuss the question of what constitutes "competency" for self-government. Incompetency for self-government is the one argument into which all others resolve themselves against granting liberty and self-government to the Philippine people. It is true that the civilization of the Philippines differs in many respects from ours, but the same may be said of almost every other people on the globe. Race and climate and other conditions create distinguishing features in all civilizations, which are reflected in their social and political institutions. Who is the judge of when a people is competent for self-government? I assert that history vindicates the conclusion that a people must be the judge of their own capacity, and that to constitute any other nation the sole judge of when a people is or becomes competent for self-government is the basest sort of tyranny, the very source of all forms of oppression. Since, then, the Filipinos assert their right and capacity to govern themselves, according to the standards of liberty fixed by history we should accept their judgment rather than insist upon our own.

In my opinion there is only one reason why the Filipinos should not have immediate independence, and that reason is founded solely on expedience and convenience both to the Filipinos and to our own Government and people. Immediate independence would leave the islands in some respects in a state of confusion socially, politically, and industrially. It is therefore wise to take time for adjustment, to anticipate in so far as that can be done controversies and complications which would arise if independence were immediately granted, and to adjust them as fairly and as fully as possible in advance. This relates to many subjects and particularly embraces the property rights of American citizens in the islands. It would seem that two years is adequate for this purpose. It is certainly better to fix some specific time and thus settle all disputes as to our present and future policy in dealing with this subject.

This amendment has a peculiar value at this particular time. It is calculated to have an excellent moral effect on world politics. It will demonstrate the good faith, the sincerity of our pretensions to use the power of this Government primarily for the benefit of the Filipinos themselves, and emphatically contradict the implication that the real purpose of the United States in the Philippines is the exploitation of their resources for the benefit of selfish Americans. We have had many vexing questions to solve during recent years in connection with our foreign relations. Some of the most difficult are still pressing us. To declare now the policy of granting independence to the Filipinos at a fixed time will tend to strengthen the confidence of other nations in our declarations of unselfishness, and will materially aid in the peaceful and proper solution of the very difficult problems now confronting this Government in connection with conditions existing and incidents transpiring in Mexico.

Mr. LIPPITT. Mr. President—

Mr. ROBINSON. I yield to the Senator from Rhode Island.

Mr. LIPPITT. The Senator refers to this amendment as one that gives a fixed date for independence. I know the frankness and intelligence of the Senator. I should like to ask him how he reconciles the provision that the then President of the United States at the end of four years shall decide whether the provisions of the bill shall go into effect or not. It has occurred to me in reading this amendment, which, of course, has been submitted to the Senate for only two days, that far from making any definite decision of the question the introduction of that provision tends to confusion, to uncertainty, and to leave the whole matter that is involved entirely indefinite instead of being definite. It proposes at the end of four years to leave to the decision of one single man, of what political faith nobody now knows, whose opinion in regard to this particular subject nobody now knows, the solution whether or not the provisions of this bill shall really go into effect. It would seem to me, and I would be glad to have the opinion of the Senator upon the matter, that it would lead to great confusion.

Mr. ROBINSON. The amendment in the form which it is now presented provides that if, in the opinion of the President, at the expiration of the four-year period it shall be necessary or advisable for him to do so, on account of new or changed conditions, he can again submit the question to the Congress convening next after the expiration of the four-year period. But if Congress should fail to repeal or modify this legislation, the Filipinos would automatically acquire independence.

That provision does, in a measure, as suggested by the Senator from Rhode Island, diminish the effectiveness or revokes the feature of the bill granting independence within a definite time, but, in my judgment, that is no valid objection. Since the period of four years is allowed for the adjustment contemplated by the amendment and since new conditions are constantly arising, it may not be objectionable to give that power to the President, who is charged with negotiating with foreign nations interested in the subject for the neutrality of the islands.

It can not, I repeat, be objectionable to give the President that authority. I do not regard it as of the greatest importance and I would vote very cheerfully for the amendment without that feature.

Mr. LIPPITT. Mr. President—

Mr. ROBINSON. I yield to the Senator.

Mr. LIPPITT. The Senator from Arkansas has referred to the external features of that provision, but the provision also instructs the President to take consideration of the internal condition of the Philippine Islands. He will have the great responsibility upon his shoulders of deciding whether at that time the civilization of the people of the islands is sufficient to answer the provisions of the bill. It is a very great responsibility to put on the shoulders of a single man.

Mr. ROBINSON. It is, indeed, a great responsibility, but this provision enables the President to share that responsibility with Congress, if he desires to do so, and in that sense it can not be objectionable to me.

Mr. LIPPITT. Does not the Senator from Arkansas think it will leave the Filipinos in a state of great doubt as to what their future condition is to be?

Mr. ROBINSON. I do not think so.

Mr. LIPPITT. Suppose—

Mr. ROBINSON. I have great respect for the opinions of the Senator from Rhode Island, and I imply from his statement that it would suggest a great doubt as to what the prospect for independence would be, but I think that the purpose of Congress will, beyond any material question, be carried out, and that the result of this legislation as it is now proposed will be to grant independence to the Filipinos at the expiration of four years, if not before.

Mr. LIPPITT. May I ask the Senator what he thinks would be the result of this provision if somebody of the opinion in regard to the Philippines that is entertained by ex-President Taft, for instance, should be elected President at the next election?

Mr. ROBINSON. Mr. President, there is no use of discussing impossibilities. It is not within the range of probability or possibility that anything so unfortunate as that would happen to the American or the Filipino people; but if that should transpire, the responsibility would finally be upon Congress.

Mr. SHAFROTH. I should like to ask the Senator from Rhode Island a question.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Arkansas yield?

Mr. ROBINSON. I yield.

Mr. SHAFROTH. If, as the Senator seems to indicate, there is objection to this provision because it does not fix a day certain, is the Senator willing to make it a day certain?

Mr. LIPPITT. I will say to the Senator from Colorado that I think the policy in regard to the Philippine Islands should be one of two things. It should either positively grant their independence on a day certain, or it should positively state that it is the purpose of the United States to carry on the policy that for the last 15 years has been of such unchallenged and unparalleled success that even the present Democratic Governor General of the islands has praised it in the most extravagant terms. I think that a half-and-half policy in connection with the Philippines is the most indefensible position that this body can take.

So when the Senator asks me that question, I answer with perfect frankness that my first choice in regard to the Philippine Islands is to help equip them for self-government. I think success in that is probably quite within our reach; but my second choice is to relieve them from all doubt of our future relation and have the courage of our convictions, which this bill has not, and say positively that we are going to do such and such a thing at such and such a time.

Mr. SHAFROTH. Mr. President, I merely want to say—

The PRESIDING OFFICER. Does the Senator from Arkansas yield further?

Mr. ROBINSON. I yield.

Mr. SHAFROTH. The answer to that is that this bill provides that while the President at the end of four years may take into consideration the situation at that time he has no power to prolong it longer than the adjournment of the Congress succeeding that time.

Mr. LIPPITT. Oh, Mr. President—

Mr. SHAFROTH. If no action is taken it is absolute independence at the end of five years and six months.

Mr. LIPPITT. If gentlemen on the other side of the Chamber had a thorough conviction as to the advisability of this step they would not leave it to the decision of a man who perhaps would be a President hostile to their policies to decide. If they were certain that the doctrine they were trying to put into legislation would be followed by success, if they were certain that the conditions in the Philippine Islands as a result of this legislation would not be as they are in Mexico to-day, they would not put a string on this policy. They hope it will be beneficial, but are so doubtful about it that they hedge by putting the ultimate decision in the hands of a single man instead of settling it in Congress where the duty of decision belongs.

Mr. SHAFROTH. Does not the Senator from Rhode Island recognize that to-day it is in the hands of a single man? He can not reverse this policy at the end of 18 months, but after four years automatically the sovereignty of the United States ends.

Mr. ROBINSON. Unless Congress shall in the meantime legislate to the contrary.

Mr. SHAFROTH. Therefore it is not in the hands of one man. At the most it is in the hands of the Government.

Mr. LIPPITT. If the Senator will allow me, I simply invite attention to the duty of the President of the United States at the expiration of four years. If he decides that this independence is to be granted he decides what the policy of the United States will be. If he decides that it is not to be granted he throws the entire question open again for discussion. Upon what he does at the expiration of the four years will depend the future of the Philippine Islands, and the policy can not be decided until those four years have elapsed.

Mr. ROBINSON. Mr. President, by way of jest, I may say it is a matter of great disappointment to me that the Senator from Rhode Island has not changed his views since I have expressed mine concerning this important question. I had expected, of course, that he would yield his views when I began the discussion on this subject.

In addition to what has already been said on this proposition, the President is given power to resubmit this matter to Congress, and that is the sole effect of the provision. If before the Filipinos acquire their independence conditions have so changed that in the opinion of the Chief Executive of this Nation he is warranted in doing so, he may again call the matter to the attention of Congress, but if Congress does not recede from the position it now takes the independence of the Filipinos will be acquired automatically as the result of this legislation.

Mr. President, another reason for speedily granting independence is that it will shorten our defense line to grant the Filipinos independence and remove the cause of possible future controversies and conflicts. It is not my purpose now to discuss the subject of "preparedness." No one can seriously deny that the independence of the Filipinos will in the near future lighten our necessary naval and military burden. Surely this is an end to be desired. Whatever view we may take of the subject of preparedness and the necessity for a prompt increase in the Army and the Navy of the United States, the conclusion is inevitable that the military burdens of this Government are already great and are destined to increase.

The difficulty of granting independence will increase with time. Every year that passes will witness the formation of new ties binding us to the Filipinos—ties of a social, a political, and an industrial nature. New business enterprises in which Americans are vitally interested are constantly springing up in the islands, and these will strengthen the influences which will seek to compel their retention. It is therefore better now to declare as definitely as may be our political policy toward the Philippines, and that is exactly what this amendment seeks to accomplish.

The Senator from Illinois [Mr. LEWIS] has expressed some apprehension as to the effect of the clause designed to secure the neutrality of the islands for a fixed period by treaty agreements. In order to afford the Filipinos that opportunity for the enjoyment of liberty which the United States has earned for them it seems necessary to secure them from molestation for a reasonable time. In the opinion of many who have studied this question, it is the duty of the United States to do this as a complement to independence. There can be, it would seem, little objection to sharing this responsibility with other nations, and at the worst the burden upon the United States would not be increased if other nations agreed to also guarantee the independence of the Philippines when granted or recognized by our Government. In answer to the suggestion that such an arrangement would involve us in "entangling alliances" with other powers, it may be said that in a sense this is true of every treaty that we make. Our entry into the Philippines may have been a policy in conflict with the recognized principles of the early fathers of this Republic. But we can not now escape the responsibilities which are the natural outgrowth of that policy. The enforcement of such a treaty and its observance would rest upon the same basis as would the observance and enforcement of the stipulations of any other treaty. Those suggest questions which may never arise and which will be dealt with fairly and conscientiously if occasion requires. The obligation is now upon us to protect the Philippines and it certainly would not be increased but would probably be diminished if other nations solemnly assume to share that burden. Public opinion in the United States seems to me to support the proposition that a guarantee of neutrality should accompany independence. The opinions of others who have devoted more attention to the subject may be of greater value than those of one whose duties here have not called him to a particular inquiry concerning this question.

It has been demonstrated to my satisfaction during the course of this debate that the Philippine Islands are not profitable

possessions when the subject is considered from a purely selfish standpoint. Of course this is not now and can never become a controlling factor in determining our course toward a weaker people. This Republic is consecrated to the promotion of liberty and justice and, we will not, we must not, destroy or neutralize the wholesome effect of our occupation of the Philippines by dominating them in our own interests.

The time is at hand when we may with honor secure to the Filipinos the boon of liberty, and by the adoption of the pending amendment this gratifying result will be assured.

Mr. STONE. Mr. President, I do not rise to discuss the pending amendment, but merely to make a suggestion or two with respect to it by way of amendment. I do so at this time that it may go into the Record, and I invite the considerate attention of the chairman of the committee and his colleagues and the Senator from Arkansas to the matter I am proposing.

A good deal of time has been taken in the consideration of this bill in discussing subjects wholly foreign to it and of some things that are related to it only in a somewhat remote way. I suppose the subject of preparedness has some relation to this subject. I have no thought now or hereafter during the consideration of this bill of expressing any views on the subject of military preparedness further than to say, which I do now, that in my opinion at the conclusion of the decimating war now raging in Europe there will be less likelihood of any great nation attacking us than for the last 50 years and a greater likelihood of peace so far as this country and the great nations of Europe are concerned. In saying that I do not wish to be understood as intimating that I am antagonistic to a reasonable preparedness. I think there is less occasion now for alarm from that source than before this war began.

Mr. President, the Senate is engaged upon a very serious and important business. This amendment proposes in a way to grant independence to the Philippines. It is proposed that we withdraw from all connection with the Philippines. As I have heretofore remarked more than once, with that general purpose I am in very hearty sympathy, but there are right ways and wrong ways, safe ways and unsafe ways of doing a business of this kind.

I can not but feel that this grave question ought not to be disposed of until Senators and everyone who shall have a voice in its disposition shall be well satisfied in his own mind that he knows, or is confident that he knows, what the effect of the thing to be done is likely to be. We ought not to enact legislation of this kind with undue haste. So far from that it ought to be done with the most careful and painstaking deliberation.

I did not see the last draft of the amendment proposed by the Senator from Arkansas until the Senate met at noon. During the day, more or less occupied with duties that demanded my attention, I have been able to give the amendment only a somewhat casual examination. In going over it I have written some amendments to it. I am not sure that the amendments will make it better or worse. I feel, Mr. President, that I ought to be sure in my own mind at least before I propose seriously, or propose at all, unless it be merely by way of suggestion, any amendment to the pending proposition.

There are just one or two of these ideas that I have attempted to formulate that I wish to put in the Record, as I have stated, with the hope the Senator from Colorado [Mr. SHAFROTH], the Senator from Nebraska [Mr. HITCHCOCK], the chairman of the committee, and the senior Senator from Arkansas [Mr. CLARKE] especially may examine them and give the Senate the benefit of their mature judgment; and also the Senator from Rhode Island [Mr. LIPPITT] and others who have interested themselves especially in this legislation. I am not going to stop now to undertake to go into the matter in detail. It would be a little difficult for me to make myself understood unless Senators had the amendment before them and followed the reading. They can do that later.

Mr. President, I make this suggestion of an amendment to the so-called Clarke amendment. After the word "Philippines," in the twenty-first line, page 3, of the amendment, strike out the period, substitute a semicolon, and insert:

or if the President shall be unable to make a treaty or other binding agreement in the form hereinbefore stated with any of the said-mentioned principal nations, then to invite the cooperation of said nation or nations so refusing to enter into such form of treaty or agreement to make each for itself a treaty or convention with the United States obligating and pledging itself to recognize and respect the sovereignty and independence of the said Philippines and the government thereof.

Mr. SHAFROTH. If the Senator will yield for a moment, I will state that it seems to me a clause of that kind is very wise. There was a period of time when the Hawaiian Islands were the subject of controversy between various nations. England had them for a time, and Daniel Webster obtained an agreement with France and England that neither of those countries would

assume sovereignty over those islands, and it was absolutely respected as long as they remained an independent government. If we can not get the neutrality agreement in the sense of defending the Philippines with arms, we could have a negative defense in the way that they would not themselves attempt to subjugate the islands.

Mr. STONE. The text of the amendment is to this effect:

Immediately upon the passage of the act the President shall invite the cooperation of the principal nations interested in the affairs of that part of the world in which the Philippines are located, in the form of a treaty or other character of binding agreement, whereby the cooperating nations shall mutually pledge themselves to recognize and respect the sovereignty and independence of the said Philippines, and also to mutually obligate themselves, equally and not one primarily nor to any greater extent than another, to maintain as against external force the sovereignty of said Philippines.

It might be that some of these nations who are interested in that region of the world, it might be that all of them, would refuse to enter into a solemn compact or convention pledging themselves to use force if need be, for that would be the meaning of it, to maintain the political integrity and independence of the islands.

I have submitted an additional clause, an alternative clause, to which I ask the attention of the gentlemen in charge. I am not going to discuss it now; I merely wish to get it before them.

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. STONE. I do.

Mr. McCUMBER. Do I understand that the amendment proposed by the Senator from Missouri intends that this guaranty shall be obtained before we shall surrender authority? The amendment as it is now drawn leaves that to be acted upon after they have left our jurisdiction and when we have no control over them. Does the Senator think that that would be an opportune time to secure an agreement of that kind?

Mr. STONE. Mr. President, I intended to touch upon that. I do not think what I have suggested exactly touches that question, but I think it an important question.

Mr. McCUMBER. Let me ask the Senator if he does not himself believe that it would be better to get any kind of an agreement concerning the future of the Philippine Islands while they are still in our possession and while it would be pertinent for us to secure such an agreement rather than after they have left our authority and ceased to be a part of our territory? It might be regarded as impertinent on our part then to ask any foreign Government to enter into an agreement with us to protect an independent government.

Mr. STONE. Mr. President, just a moment later, after I had suggested one or two amendments, I intended to ask the Senators who are collaborating, I presume, in the preparation of this amendment to consider the very question suggested by the honorable Senator from North Dakota. It seems to me to be very important indeed.

If any nation should enter into an agreement with us of the nature we have in mind, we may well depend upon this, that, as the Senator from North Dakota [Mr. McCUMBER] has stated, such nation or nations are not apt to make such agreement with us after we have withdrawn our sovereignty over the islands, recognized a government established by the people there as an independent nation, and have sent our accredited representatives to that Government. Far more apt would such nations be to look with favor on an invitation of the kind suggested in the amendment if extended before the sovereignty of the Philippines was established and recognized; aye, more apt still to look with favor upon such an invitation if our recognition of the independence of the Philippines in some way depended upon the entering into agreements or conventions in advance of such recognition.

Mr. President, I believe that the language of this amendment, though well thought out and though it embodies in the main a policy I approve and have long advocated, might be changed so as to accomplish the result more certainly than to leave it as it is, and in this connection I throw out this observation: The amendment offered by the Senator from Arkansas [Mr. CLARKE] and that offered by the Senator from Nebraska [Mr. NORRIS], which is an amendment to the amendment, limits the neutralization, so called, of the islands to a period of five years from the date of the recognition and the withdrawal of our authority over them. I submit to Senators that it is not within, or hardly within, the range of probability—or possibility I came near saying, and I will say of possibility—that within five years after the United States has voluntarily abandoned the Philippines and withdrawn from the exercise of sovereignty over an area of such moment, some other nation

would go in, attack the Filipinos, and undertake to absorb them within five years.

Why, Mr. President, an act of that kind would be an act of such insolence, of such an offensive character, as would arouse the indignation of every American, and I do not believe any nation on the earth would venture to do it within so short a period.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. STONE. I do.

Mr. NORRIS. I call the attention of the Senator from Missouri to the fact that in the substitute that I have offered, to which the Senator has made reference, the language is "not less than five years." I thought it wise to give the President leeway for any term longer than five years.

Mr. STONE. Mr. President, I will vote for the bill with the five-year limitation upon it if Senators desire to put it that way, making it the minimum or the maximum, or leaving it to the discretion of the President; but I would do so with the very greatest reluctance and apprehension. I am not going to discuss the matter now any further.

Mr. VARDAMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. VARDAMAN. I want to ask the Senator from Missouri to indulge me for just a moment.

Mr. STONE. I yield to the Senator; certainly.

Mr. VARDAMAN. I ask if the Senator will permit me to request permission to insert in the remarks submitted by me a short time ago certain extracts from articles written by Filipinos, which go to show their capacity for understanding government.

The VICE PRESIDENT. Without objection, permission to do so is granted.

Mr. VARDAMAN. The fact that I have to leave the Chamber at this moment is the reason why I asked the Senator from Missouri to permit me to interrupt him.

Mr. STONE. I am very sorry that the Senator from Mississippi has to go, for I am about through, and he has been giving attention to this matter.

Mr. VARDAMAN. I should be very glad to listen to the Senator.

Mr. STONE. I should like the Senator from Mississippi to be present.

Mr. McCUMBER. May I ask the Senator just one other question right here?

Mr. STONE. Yes.

Mr. McCUMBER. Would not the fixing of any date for the limitation be equivalent on our part to an admission that we would consent to the islands being seized at any time thereafter?

Mr. STONE. Well, I would hardly go that far—that it could be interpreted as a consent on our part; but it would, of course, have the effect of withdrawing our responsibility for in any wise interfering unless by a mere formal protest.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator from Missouri a question. The line of his argument and the question propounded by the Senator from North Dakota [Mr. McCUMBER] seem to involve an idea contrary to the one that I thought was intended to be worked out by those who are proposing this amendment. What we are attempting to do now is to get ourselves out of the Philippines as soon as possible, to wash our hands of all responsibility as to their independence, their mode of government, and so forth. It might aid us in extending independence to them to get the cooperation of other governments, but the responsibility is now on us, and it seems to me that whether or not the time when we declare their independence antedates the time when we ask the cooperation of other governments, our responsibility is in no wise lessened. This discussion seems to cause us to lose sight of the fact that our main object is to relieve ourselves of all responsibility in the Philippines as soon as may be.

Mr. STONE. Mr. President, I listen, of course, with interest to the suggestions of my friend from South Carolina, but I do not care at this time to be tempted into a discussion of this question. I am merely stating one or two things for the consideration particularly of the members of the committee. They may be of no value in their minds or of not sufficient value to induce them to make any change or suggest any change in the phraseology of the bill.

In line 23, on page 3, I suggest that the words "decline to do so" be stricken out, and that the words "decline to make or

enter into any or either form of treaty, agreement, or pledge hereinabove provided for" be inserted.

Mr. SHAFROTH. I think the words "or fail" might be inserted in the Senator's amendment, so that it will read "decline or fail."

Mr. LIPPITT. Mr. President, I could not hear what the Senator from Missouri read. Would he object to again reading the clause which he wants inserted?

Mr. STONE. Of course I could read it again, but unless the Senator from Rhode Island was following me closely—

Mr. LIPPITT. I was following the Senator very closely; but would he let me read the amendment myself so as not to consume any time?

Mr. STONE. Certainly, I will hand the amendment to the Senator.

Mr. President, I am going to close with a brief reference to the closing paragraph of the Clarke amendment. As it appears in the pending amendment that paragraph reads:

If any of the nations so invited to join the United States in such undertaking shall decline to do so, then the President shall include as parties to such convention or agreement such nations as may be willing to join therein and to assume such obligations; and if none are willing to so unite therein, then the President is authorized to give such guaranty on behalf of the United States alone for the period of five years from and after the expiration of said period of four years, or any extension thereof, and pending the existence of such separate guaranty by the United States, the United States shall be entitled to retain and exercise such control and supervision in the said Philippines as may be necessary to enforce order therein and to avoid external complications.

I would ask Senators—and I would have been glad to have had an expression from the author of this amendment if he were present, but for the moment he seems to be out of the Senate—what would be the effect if some of the nations, one or two of the nations, invited to join the United States in this suggested convention or treaty should do so and others should not? For example, let us suppose that Great Britain and Germany would consent to enter into such an agreement, but that Japan and France should decline to do so, what embarrassment would face the President in that situation?

Mr. SHAFROTH. Mr. President, I take it that that is one of the reasons why there is a reservation in the amendment as to a report being made to Congress before the expiration of the full four years. There is one year and about six months allowed for Congress to act with relation to the matter. The President can then report such suggestions with reference to it as he desires; and I take it that he would do so if only a few of the nations were willing to join in the arrangement.

Mr. HITCHCOCK. Mr. President, I think the Senator from Colorado is mistaken in that. The President is permitted to extend this four-year period only upon certain conditions. When I come to address myself to the amendment I shall point out that those conditions are inadequate and do not cover the conditions suggested by the Senator from Colorado.

Mr. SHAFROTH. Mr. President, inasmuch as this matter of an international agreement with regard to the Philippine Islands is something that seems to be in the sole power of the United States Government to determine, the President at any time during the full period of four years, or during the period of a year and a half thereafter, could call the attention of Congress to and could secure the enactment of any legislation with relation to it that the situation at that time might demand.

Mr. STONE. Mr. President, I have prepared hastily, and therefore imperfectly, several amendments to the text of the pending amendment; but with what I have said I believe I shall not further detain the Senate this afternoon, especially as the Senator from North Dakota [Mr. McCUMBER] has expressed a wish to address the Senate.

Mr. LIPPITT. May I ask the Senator, merely detaining him a second, would he not ask to have his amendments printed in connection with the pending amendment, so that they might be seen as a whole?

Mr. STONE. I would do so if I had them in form.

Mr. LIPPITT. From the manner in which he stated them, I thought the Senator had them in the shape he desired.

Mr. STONE. No; I have simply written the amendments in the body of a copy of the pending amendment I have before me.

Mr. CUMMINS. Before the Senator from Missouri takes his seat, or after he has taken his seat, if he will honor me with his attention, I should like to ask him one or two questions with regard to the meaning of the amendment, which evidently he has studied with care.

I call his attention now to the last clause on page 4. Suppose the President has, after the two years and before the expiration of the four years, recognized the government established in the Philippines and has been unsuccessful in securing the cooperation of any other nation in the guaranty that is

here proposed, is this act mandatory upon the President to enter into the guaranty that is here described, or is it within his discretion to do so or not?

Mr. STONE. Mr. President, I had supposed that if none of the nations entered into this proposed agreement or treaty the Government of the United States would be, in effect, under the text of the amendment, pledged to guarantee the independence of the islands, and that during that period it should continue to exercise the degree of authority set forth.

Mr. CUMMINS. I am, of course, speaking of the five years after the full recognition of independence or of the government established in the Philippines. The language of the amendment is:

And if none are willing to so unite therein, then the President is authorized to give such guaranty on behalf of the United States alone.

I have been very much in doubt whether that language would require the President to give the guaranty or whether it would simply permit him to give the guaranty. If it simply permits him to give the guaranty, or authorizes him to give it, then we are allowing that question to be determined by the President alone, which is rather a vast discretion to impose upon the President.

Mr. STONE. However that may be, Mr. President, it is hardly worth while for the Senator from Iowa and myself to discuss that question, for if we are going to enter upon the policy outlined in the part of the amendment read by the Senator, then there ought to be no doubt, in my opinion, as to what the attitude of the Government of the United States is. I would not leave it as a matter of discretion to the President, and if the language is subject to a criticism of that kind it ought to be changed.

Mr. CUMMINS. I agree with the Senator from Missouri that it ought not to be within the discretion of the Executive. While I am opposed to any guaranty of any sort after recognition and separation, yet, if we are to enter into the guaranty, it ought to be by the direction of the Congress and not through the will of the person who happens at that time to be President of the United States.

Mr. STONE. Of course, if I went into that I would have to discuss the subject at considerable length, which I am not desirous of doing at this time.

Mr. McCUMBER. Mr. President, I wish to address the brief remarks which I have to make, which will only take me a few moments, both to the chairman of the Committee on the Philippines [Mr. HITCHCOCK] and to the Senator from Missouri [Mr. STONE].

I think there are three very patent defects in the amendment which has just been discussed. The first is in the matter of securing a guaranty, the second is in the time of securing that guaranty, and the third is in the five-year limitation of our interest over the islands. Now, I want to put this in the form of a question to the Senator from Missouri or the Senator from Nebraska: Why should we ask other nations to give a guaranty that they will join in the protection of the independence of the Philippine Islands? Would it not be far more easy for us to get a simple agreement of those nations that they would not interfere with the independence of the Philippine Islands, rather than an agreement that they would interfere with any other nation that should question their right to independence?

Suppose you adopt this provision in the form in which it now is, do you believe for one single moment, when you stop to consider it, that you could get an agreement, say, from Japan, or that she would enter into a guaranty, which would mean that she would wage war, if necessary, with another government in order to protect the independence of the Philippine Islands? Suppose, for instance, that Japan should reason along this line: "If Germany and America should get into war, the first act of Germany probably might be to attack the Philippine Islands. Now, if I enter into an agreement of this kind I must immediately become the ally of the United States to expel Germany from the Philippine Islands." Do you believe that Japan would enter into any such agreement, and do you believe that any other one of the great powers would enter into that agreement? Do you think you could get Germany to say, after we have left all control of those islands to the Filipinos themselves, that if Japan attacks those islands—and the moment Japan became involved in war with the United States, by the law of nations all treaty obligations between Japan and the United States would be abolished—do you imagine that Germany would enter into an agreement which would require her to say, "If Japan breaks the agreement or gets into war with the United States—which of itself would break that obligation—and attacks the Philippine Islands, we will become an ally of the United States in an attempt to get Japan out of those islands because she has guaranteed their independence?"

No, Mr. President, we will never get the guaranty of the great nations of the world to protect those islands from some other nation; but what we can do is this—and we would not be impertinent in asking it—we can say, just as I have indicated in a little amendment which I have presented:

The President of the United States is hereby authorized and requested to indicate to the great powers of the world the desire of this Government to extend to the Philippine Islands and the Philippine people full and complete independence whenever it shall be warranted in the belief that such independence will be permanent and be respected by the other powers of the world.

Then I provide that the President be authorized to enter into such an arrangement with the other powers of the world, conditioned that this country will not surrender her sovereignty until she knows that that sovereignty will be acquired by the islands and will be respected by the nations of the world.

While those islands are ours, it is very proper for us to ask other nations of the world, "Will you respect their independence if we grant them their independence?" When those islands cease to be ours, it would be an act of impertinence on our part to attempt to get other nations to enter into an agreement with us to respect their independence, and, much more for the reasons that I have mentioned, to guarantee the independence of those islands. So, if we are going to get any kind of an agreement, that agreement ought, first, not to be a guaranty, because we will never get that, and it ought not to contain a specific time limit, because the moment that we fix a time limit we indicate to them and indicate to the world that our interest in the welfare and independence of the islands ceases upon a given date. We do not want to say that to the world. What we want, and what the islands want, is their independence, and, in my candid judgment, the nations of the world will be glad to enter into an agreement that they will not interfere with those islands if we surrender our jurisdiction over them.

Five years from now! Why should you fix 5 years? Why should you fix 10 years or 20 years? When we have an agreement on the part of the nations of the world to let them alone, that is indefinite; and it will take a new contract in all good faith for that Government to make the agreement with us, and we will have two parties to the contract.

I think we may just as well eliminate from our minds now the idea that after we have surrendered those islands we will ever get any agreement from any nation in the world that they will go to war with us or against us in order to protect the independence of those islands, and I hope we will be able to make the modifications that have been indicated in the last amendment. I think my amendment is far preferable, because the very first act is to get the agreement. The moment we have that agreement from the principal nations of the world, then the President is to call a constitutional convention in the Philippine Islands. As soon as that constitutional convention is held, a republican form of government organized, an election held, and officers elected under that, so that they start upon their life of independence, then, by a proclamation, the President of the United States gives notice to the world that they are a free and independent people. It is simple of operation and sure of operation if we want to allow the Philippine people their independence.

I wish to grant it to them; but I say candidly that I do not want to vote for a bill that will give them their independence before that independence has been secured by some kind of an arrangement with foreign nations. I do not want a guaranty, because I know we can not get it. I do want a simple agreement to let them alone before we take our hands off of them. Then, and at that time, we can secure such an arrangement.

I hope, Mr. President, that we will not tie ourselves to any preconceived, hurried draft of any amendment without stopping to think what its effect is going to be, or make it a partisan question in any manner, but that if we really want to give them independence, if we really want to secure that independence, we will take a simple and straightforward way of securing it. If we want a guaranty or an agreement, it will have to be obtained while that is our territory, and not afterwards.

Mr. CLAPP. Mr. President, I am very much in sympathy with a part of the view entertained by the Senator from North Dakota [Mr. McCUMBER]. If we are going to get any guaranty of any kind, I think it ought to be obtained before we declare the independence of the Philippines. But I want to suggest a thought to the Senator from North Dakota.

It strikes me as a very unusual thing for us to ask any nation to agree not to interfere with the Philippine Islands. Suppose some other nation had a dependency that they contemplated releasing their sovereignty over, and they should come to us and say: "Now, we want you to agree, before we release this dependency, that you will never take it over as a part of your sovereignty." We would naturally inquire what there

was in our past that would suggest the probability of our interfering with the sovereignty of a free and independent nation. On the other hand, there would be nothing that could be regarded as a reflection in our saying in advance to other nations: "We propose to surrender sovereignty over a people here that are not very well equipped for defense, and we invite you to join with us in a guarantee of their independence."

No nation could take any exception to that kind of an invitation, while it does seem to me that a nation would be inclined to take exception when we propose to surrender our sovereignty conditioned upon saying to nations that have shown so far no disposition to take the Philippines that we can not do it until they agree in advance that they will observe the independence of a free and independent country.

Mr. McCUMBER. Mr. President, will the Senator allow me to press that same argument home to him in a question?

Mr. CLAPP. Certainly.

Mr. McCUMBER. Suppose Great Britain should say: "Now, Canada would like to be a free and independent government. We desire to give her that independence, provided we feel satisfied that her independence would be respected, and we ask you to enter into an agreement with us that you will also recognize and respect the independence of Canada." I can see that that would be appropriate; but if Great Britain should ask us to guarantee the independence of Canada, I can very readily see that we would say: "No; we will not interfere with Canada's independence, but we will not attempt to guarantee it by the force of this country."

Mr. CLAPP. Mr. President, it strikes me just the other way. Of course it is a delicate matter to talk about Canada, which is our neighbor; but I can understand how we could accept a suggestion from Great Britain that they proposed to separate from Canada, that Canada never had maintained any army or navy, was a peaceful country and unprepared for war, and "now we invite you, the United States, to join with us in an international agreement to maintain the integrity of Canada."

Of course I concede that it is going to be difficult to get any nation to agree to maintain the independence of a nation that is free, and of its own volition to get into involved propositions and conditions and situations that might invite war. But when we have lived side by side with these people, with nothing in our career—unless it is our recent exploitation of over-sea territory—that may have suggested to other nations that it is necessary to take a guaranty from us; it seems to me that it would not strike the people of the United States as a very agreeable proposition to have it suggested on the part of Great Britain that it would not do to sever her relations with Canada until she got an agreement from us that we would be decent and behave ourselves and not attempt the subjugation of Canada.

With this proposition of the Senator's we go to the other nations of the world, nations that have shown no disposition to interfere with the Philippine Islands, and we say, "We will let the Philippine Islands go if you will agree not to attempt to bring them under your own sovereignty." It strikes me that it would grate somewhat harshly upon any nation to say to them, in effect, "We would like to free these people, but before we can let them go we must have your guaranty that you will not try to subdue them."

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. CLAPP. Certainly.

Mr. CUMMINS. I thought the Senator from Minnesota was about to refer to an episode in our own history. I ask him whether the inquiry he has just mentioned, made of other nations, would not be the equivalent of asking them not to do what we did in 1898 and 1899?

Mr. CLAPP. That is what I say with reference to Canada, the illustration of the Senator from North Dakota. We have gone on taking over-sea territory, and England might be justified, in view of that history, in asking from us that we would let Canada alone. But we make that same suggestion, then, to every nation that we invite to join in an agreement, not to guarantee with us and with one another the independence of the Philippine Islands but that they will be decent and fair and not themselves interfere with that independence. It does strike me that that would not appeal very strongly to the ordinary nation.

Mr. LIPPITT. Mr. President, will the Senator yield to me?

Mr. CLAPP. Certainly.

Mr. LIPPITT. While the Senator is discussing these contingencies, I should like to ask him what he thinks we ought to do in case we asked some of these nations, and some of them should decline to agree, not to interfere with the Philippine

Islands. Suppose we asked Japan, suppose we asked Germany and England, and all three of them refused to agree that they would not consider taking over the Philippine Islands. Would we then abandon our control and interest in the islands, and nevertheless maintain and extend the Monroe doctrine—which that practically amounts to—to such far-off countries as the Philippine Islands? Would the Senator approve of that?

Mr. CLAPP. I would approve of that, because if I were the Japanese Government and this country said to me, "We will release the Philippine Islands upon condition that you will agree not to take over their independence and make them a part of your sovereignty," I would say, "There is nothing in the history of this Nation to warrant any such suggestion," and I believe every nation would refuse to accept the suggestion involved in that kind of a request.

Mr. McCUMBER. Mr. President, does the Senator think that Germany, for instance, would be more likely to enter into an agreement with us that she would guarantee the integrity of the Philippine Islands against Japan than she would simply to enter into an agreement with us that she would not interfere with the independence of the Philippines?

Mr. CLAPP. I certainly think so; because what is there in the history of that empire to suggest that it is unsafe to launch a people here upon a free and independent career without first getting their guaranty that they will not seize upon that independent nation?

Mr. McCUMBER. No; I am speaking of the proposition of getting an agreement from Germany that she will guarantee the Philippine Islands against any encroachment of Japan.

Mr. CLAPP. As I said a moment ago, this proposition to get a guaranty of the other nations as to the integrity of the government of the Philippine Islands is a difficult proposition. For one, I do not believe in it; but I do think the nations would much more readily join in an invitation extended to them to come in together and guarantee collectively the independence of those islands. I think that would be far better than to go to these nations with the suggestion that "We can not let these islands go until we get a guaranty from you that you will leave them alone."

Mr. McCUMBER. But, Mr. President, if I may appeal to the Senator again, by the amendment which has been offered, we are saying this word not to one individual State but to all of them. They understand that before we cease our sovereignty or release it in any way we want an understanding with all of the countries. I confess that I can see no difference in the delicacy of the situation in asking all of the Governments to join with us in saying that they will refrain from any interference with the independence of the Philippine Islands and asking them to join together to go to war, if necessary, to protect the Philippine Islands against any country that should happen to be at war with us.

Mr. CLAPP. It is not so much an invitation to go to war. One is an invitation that appeals to the strength and the generous impulse of nations to help maintain the independence of these islands when we free them. The other is a suggestion that we, who took them once, will not now let them go until we get the guaranty of the other nations that they will not invade or take possession of the islands. One is an appeal to their generosity and to their strength. The other is the suggestion of a cupidty on their part that many of them, at least, have not done anything to warrant our suggesting.

Mr. HITCHCOCK. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside, and I give notice that beginning to-morrow I shall ask the Senate to take up the unfinished business immediately upon the conclusion of the routine morning business, so that it may be pressed.

The PRESIDING OFFICER. In the absence of objection, the unfinished business will be temporarily laid aside.

FLOOD AT YUMA, ARIZ.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the joint resolution (S. J. Res. 86) for repair and rebuilding of the levee at Yuma, Ariz., and I direct the attention of the Senator from Arizona to the report.

Mr. SMITH of Arizona. I ask unanimous consent for the present consideration of the joint resolution. It is the same matter I had up this morning, to be perfectly frank with the Senate. I have taken a poll of the committee, and no objection is urged by any member of it, and it is signed by all the committee to whom I have presented it, with the exception of one member.

Mr. POINDEXTER. What is the subject of the resolution?

The VICE PRESIDENT. To appropriate \$50,000 to build a dam at Yuma, Ariz.

Mr. POINDEXTER. Mr. President, I am in favor of the joint resolution and have no objection to its present consideration.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 26, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 25, 1916.

SURVEYOR GENERAL.

Frank P. Trott, of Phoenix, Ariz., to be surveyor general of Arizona, vice Frank S. Ingalls, whose term expired January 22, 1916.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. James S. Dusenbury, Coast Artillery Corps, to be captain from January 18, 1916, vice Capt. Curtis G. Rorebeck; resigned January 17, 1916.

Second Lieut. Ralph E. Haines, Coast Artillery Corps, to be first lieutenant from January 18, 1916, vice First Lieut. James S. Dusenbury, promoted.

POSTMASTERS.

ARKANSAS.

Camille Bringle to be postmaster at Wilson, Ark. Office became presidential January 1, 1916.

I. V. Echols to be postmaster at Cotton Plant, Ark., in place of S. W. Kennedy. Incumbent's commission expired January 24, 1916.

Pearl P. McCarroll to be postmaster at Walnut Ridge, Ark., in place of C. C. Cate. Incumbent's commission expired June 8, 1915.

CALIFORNIA.

Mary G. Mails to be postmaster at San Quentin, Cal. Office became presidential April 1, 1915.

COLORADO.

James A. Rutledge to be postmaster at Woodman, Colo. Office became presidential January 1, 1916.

CONNECTICUT.

Daniel F. Finn to be postmaster at Jewett City, Conn., in place of William H. Brown. Incumbent's commission expired January 18, 1916.

James W. Green to be postmaster at Eagleville, Conn., in place of A. E. Vinton. Incumbent's commission expired January 11, 1916.

John F. Oates to be postmaster at Windsor-Locks, Conn., in place of C. Leon Wilcox. Incumbent's commission expires February 1, 1916.

Patrick L. Shea to be postmaster at Derby, Conn., in place of S. E. Chaffee. Incumbent's commission expires February 8, 1916.

FLORIDA.

P. M. Elder to be postmaster at Sanford, Fla., in place of C. F. Haskins. Incumbent's commission expires February 8, 1916.

GEORGIA.

H. J. Jolly to be postmaster at Cartersville, Ga., in place of Walter Akerman. Incumbent's commission expired December 14, 1914.

Buford L. Heartsill to be postmaster at Dalton, Ga., in place of John A. Crawford. Incumbent's commission expires March 8, 1916.

David A. Trundle to be postmaster at Ringgold, Ga. Office became presidential January 1, 1916.

ILLINOIS.

Joseph S. Senglar to be postmaster at Woodriver, Ill., in place of S. S. Hubbard, resigned.

Molly Webster to be postmaster at Salem, Ill., in place of J. C. Utterback. Incumbent's commission expired February 23, 1915.

INDIANA.

Henry O. Eldridge to be postmaster at Lagrange, Ind., in place of E. B. McDonald. Incumbent's commission expired January 16, 1916.

Vern Hahn to be postmaster at Wakarusa, Ind., in place of Frank Fletcher, removed.

IOWA.

George F. Althouse to be postmaster at Ackley, Iowa, in place of S. D. Breuning, resigned.

James Duggan to be postmaster at Melrose, Iowa. Office became presidential January 1, 1916.

Harold H. Holmes to be postmaster at New Albin, Iowa. Office became presidential January 1, 1916.

Charles F. Irons to be postmaster at Garrison, Iowa. Office became presidential January 1, 1916.

Fred L. Ives to be postmaster at Hamburg, Iowa, in place of David D. Darby, removed.

Magnus A. Merkel to be postmaster at Keystone, Iowa. Office became presidential January 1, 1916.

Carl Reinecke, jr., to be postmaster at Elkader, Iowa, in place of Vellus L. Gilje. Incumbent's commission expired January 18, 1915.

William B. Trullinger to be postmaster at Farragut, Iowa. Office became presidential January 1, 1916.

Philip D. Switzer to be postmaster at St. Charles, Iowa. Office became presidential January 1, 1916.

Thomas J. White to be postmaster at Whittemore, Iowa. Office became presidential January 1, 1916.

Clyde L. Woods to be postmaster at Garwin, Iowa. Office became presidential January 1, 1916.

KANSAS.

George E. Bentley to be postmaster at Burr Oak, Kans., in place of E. C. Hill. Incumbent's commission expires February 8, 1916.

Cecil Calvert to be postmaster at Quinter, Kans. Office became presidential October 1, 1915.

Dorothy F. Derrick to be postmaster at Hugoton, Kans. Office became presidential January 1, 1916.

T. J. Foley to be postmaster at Chapman, Kans., in place of J. A. Whitehair. Incumbent's commission expires February 20, 1916.

Edward Grauerholz to be postmaster at Esbon, Kans., in place of J. J. Yapp. Incumbent's commission expired January 24, 1916.

W. L. Ringo to be postmaster at Girard, Kans., in place of T. R. Jones. Incumbent's commission expires February 20, 1916.

KENTUCKY.

J. Walter Payne to be postmaster at Paris, Ky., in place of R. K. McCarney, deceased.

LOUISIANA.

Charlton Fort to be postmaster at Minden, La., in place of Charlton Fort. Incumbent's commission expires February 7, 1916.

Floyd C. Mitchell to be postmaster at Zwolle, La., in place of F. C. Mitchell. Incumbent's commission expires February 13, 1916.

MAINE.

A. W. Willey to be postmaster at Cherryfield, Me., in place of M. J. Allen. Incumbent's commission expires March 1, 1916.

MARYLAND.

Southey King White to be postmaster at Salisbury, Md., in place of J. T. Truitt, deceased.

MASSACHUSETTS.

John P. McKay to be postmaster at Wellfleet, Mass., in place of E. I. Nye. Incumbent's commission expired January 25, 1916.

MICHIGAN.

Riley L. Compton to be postmaster at Rockford, Mich., in place of Neal McMillan. Incumbent's commission expires February 1, 1916.

Patrick F. Heenan to be postmaster at North Branch, Mich., in place of Albert Schell. Incumbent's commission expires February 20, 1916.

MINNESOTA.

C. H. Day to be postmaster at Albert Lea, Minn., in place of T. V. Knatvold. Incumbent's commission expires February 7, 1916.

Julia A. Keefe to be postmaster at Morton, Minn., in place of Otis W. Newton, resigned.

MISSISSIPPI.

Coke B. Wier to be postmaster at Quitman, Miss., in place of Coke B. Wier. Incumbent's commission expires February 19, 1916.

MISSOURI.

Edverda Barnes to be postmaster at Pilot Grove, Mo. Office became presidential January 1, 1916.

Thomas P. Diggs to be postmaster at New Haven, Mo., in place of W. J. Godt. Incumbent's commission expired January 15, 1916.

MONTANA.

Mary E. Turrell to be postmaster at Drummond, Mont. Office became presidential October 1, 1915.

NEW JERSEY.

F. J. Dushanek to be postmaster at Garwood, N. J., in place of Richard Watt. Incumbent's commission expires January 29, 1916.

Paul F. Edwards to be postmaster at Newfield, N. J. Office became presidential October 1, 1915.

Charles R. Grover to be postmaster at Atlantic Highlands, N. J., in place of L. S. Sculthorp. Incumbent's commission expired January 11, 1916.

NEW MEXICO.

James W. Harmon to be postmaster at Melrose, N. Mex. Office became presidential January 1, 1916.

Skillman C. Hunter to be postmaster at Texico, N. Mex. Office became presidential January 1, 1916.

NEW YORK.

Fay W. Amidon to be postmaster at Hilton, N. Y., in place of Minnie A. Daily. Incumbent's commission expired January 11, 1916.

Warren C. Brady to be postmaster at Brushton, N. Y., in place of A. B. Allen. Incumbent's commission expired January 11, 1916.

Walter F. Brown to be postmaster at Remsen, N. Y., in place of John W. Prichard. Incumbent's commission expired December 19, 1915.

Antoine N. Burton to be postmaster at Keeseville, N. Y., in place of Seraph E. Wolcott. Incumbent's commission expired January 25, 1916.

Henry J. Griffin to be postmaster at Bombay, N. Y., in place of C. R. Matthews. Incumbent's commission expired December 18, 1915.

E. J. Hanratta to be postmaster at Watervliet, N. Y., in place of Thomas C. Ross. Incumbent's commission expired January 11, 1916.

Ernest D. Joslin to be postmaster at Voorheesville, N. Y., in place of Frank Bloomingdale. Incumbent's commission expired December 18, 1915.

James W. Larkin to be postmaster at Brockport, N. Y., in place of Burton H. Avery. Incumbent's commission expired January 11, 1916.

Thomas O'Brien to be postmaster at Carmel, N. Y., in place of S. G. Cornish. Incumbent's commission expired January 25, 1916.

John W. Rose to be postmaster at Arlington, N. Y., in place of J. W. Rose. Incumbent's commission expired December 13, 1914.

George W. Runyon to be postmaster at Spring Valley, N. Y., in place of John S. Van Orden. Incumbent's commission expired January 11, 1916.

Ezra H. Welling to be postmaster at Monroe, N. Y., in place of Charles T. Knight. Incumbent's commission expires January 29, 1916.

NORTH CAROLINA.

Frank W. Miller to be postmaster at Waynesville, N. C., in place of Thomas L. Green. Incumbent's commission expires February 1, 1916.

OKLAHOMA.

Alva P. Daniel to be postmaster at Commerce, Okla. Office became presidential January 1, 1916.

Ora E. McCague to be postmaster at Ralston, Okla., in place of Ora E. McCague. Incumbent's commission expired December 18, 1915.

OREGON.

Walter L. Hembree to be postmaster at McMinnville, Oreg., in place of Hervey M. Hoskins. Incumbent's commission expired December 21, 1915.

SOUTH CAROLINA.

James A. Barrett to be postmaster at Clover, S. C. Office became presidential January 1, 1916.

TEXAS.

Mrs. Ross Manning to be postmaster at Madisonville, Tex., in place of C. J. Davis, resigned.

WEST VIRGINIA.

Ida J. Garrison to be postmaster at Lost Creek, W. Va. Office became presidential January 1, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 25, 1916.

UNITED STATES ATTORNEY.

Charles R. Williams to be United States attorney, district of the Canal Zone.

POSTMASTERS.

ALABAMA.

Robert M. Rawls, Athens.

GEORGIA.

R. P. Hicks, Wrightsville.
Albert C. Sweat, Nashville.

MASSACHUSETTS.

John A. Bell, Leicester.
Perry F. Brown, Northampton.
James F. Carens, Newburyport.
Arthur J. Coughlan, Maynard.
Edmund Daly, Hingham.
Joseph F. Murrman, Clinton.
William W. McLehose, Norton.
Thomas F. Meehan, Orange.
John P. O'Connor, Palmer.
Thomas A. O'Connor, North Easton.
Dennis T. Shea, North Scituate.
James E. Sullivan, Gilbertville.
William F. White, Mansfield.

NEW JERSEY.

John F. Sinnott, Newark.

NEW MEXICO.

Arthur F. Jones, Portales.
Edgar Savage, Elida.

NEW YORK.

Frank C. Sweeny, Valhalla.
Isaac W. Turner, Mount Kisco.

OHIO.

Frederick B. Mowery, Kingston.

OKLAHOMA.

John R. Reynolds, Hastings.

SOUTH CAROLINA.

Benjamin H. Massey, Fort Mill.
Oecil S. Rice, Denmark.

WITHDRAWAL.

Executive nomination withdrawn January 25, 1916.

F. H. Soll to be postmaster at Elkader, Iowa.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 25, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With gratitude welling up in our hearts to Thee, O God our Father, for the gift of life and the splendid opportunities to grow and expand it to full and symmetrical proportions "till we all come unto the measure of the stature of the fullness of Christ," we come to Thee for wisdom, strength, and courage, that we may meet the responsibilities of to-day, for it will pass and come no more again. In service to our fellow men is life and liberty, joy and happiness. A generous thought, a kind word, a helping hand is ours to give. "Let us not be weary in well-doing, for in due season we shall reap if we faint not. As we have therefore opportunity, let us do good unto all men," and pass on our way in faith, hope, and love. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. ADAMSON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. ADAMSON. To make a request for unanimous consent. My colleague, the gentleman from Georgia [Mr. EDWARDS], delivered an address at the dedication of a monument erected by an appropriation made by Congress, under the auspices and direction of the Fine Arts Commission, and I request unanimous consent to extend my remarks by printing that address in the RECORD.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] asks unanimous consent to extend his remarks in the RECORD by printing a speech made by his colleague [Mr. EDWARDS] at a monument dedication. Is there objection? [After a pause.] The Chair hears none.

Mr. PARK. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. PARK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the road bill.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the subject of roads. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of rivers.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of rivers. Is there objection? [After a pause.] The Chair hears none.

THE COMMON DEFENSE.

The SPEAKER. Under the special order of the House the gentleman from Illinois [Mr. MANN] is recognized for 20 minutes. [Applause.]

Mr. MANN. Mr. Speaker, in the quietude of my garden last summer and autumn I reached certain conclusions which I have hesitated to express, thinking that I might modify them. But as time has gone on and events have occurred, it has seemed to me even more certain that my conclusions were right than when I first reached them; and I think, in justice to myself and, I hope, with some slight benefit to the country, I ought to express those conclusions to the House.

It is well known in the House that I never have been a believer in a large standing Army, and I suppose that probably I have been properly classed among those who are sometimes referred to as the "little-navy men." But wise men ought to be able to peer, maybe indistinctly, into the future and to prepare to-day for what may come to-morrow. The world is in the most anomalous condition which mankind has ever seen. The greatest struggle of all the ages is going on now between the most powerful forces of the human race, between great nations and combinations of nations, until we are the only large, powerful nation not yet involved in that struggle. It is a break-up in the world, each side fighting not merely for its own existence, as it believes, but, as it seems to me, each side fighting with the determination to put the other side, as it were, out of business. We have never had such a thing in the world before, with the same powerful influences at work.

The laws of civilization, international laws, the laws of humanity, are usually disregarded, at least more or less, when two great forces are fighting for mastery. When two men are fighting, each believing that he is fighting for his life, each determined to take the life of the other, neither one pays much attention to the desires, the requests, or the demands of some less powerful person not engaged in the conflict.

I do not know, and no one knows, what will result from the present war. No one knows whether the aggression on either side against our interests may possibly, against our desires and contrary to our wishes, finally lead us, perhaps not into this struggle, but into some struggle which is the outcome of this one. I doubt whether a paper peace between the two struggling parties now, even if it could be entered into, would be even the beginning of the end. I think the present conflict is liable and likely to last for many years before it is definitely determined either that one or the other is the master or that neither can become the master. And it seems to me that the part of wisdom for us is to prepare ourselves fairly for any possible trouble that may come. [Loud applause.]

It may be that we will have no trouble. I hope we may not. In this war I am neutral. I think we ought to maintain peace

at all hazards. And yet the time may come when we shall not have the determination whether we can maintain peace or not, because, however much we may desire peace, it is not within our power, with the feelings which we have, to stand aggression too far.

It will be expensive to prepare for peace. Two years ago a billion dollars seemed a very large sum of money. No one would have believed two years ago that either England or Germany could carry on a war at the expense already involved, amounting to billions of dollars, where the interest on the indebtedness is sufficient to carry on the ordinary governmental work. And the end of that indebtedness is not in sight. What may come out of such immense burdens of debt in these countries, even when peace may be declared, no one can tell. Revolutions are not improbable, and revolutions in the history of the world have usually led to aggression and disputes and often to war with other countries. We can better afford to-day to spend hundreds of millions of dollars or a few billions of dollars in ample preparation for trouble and avoid it, if possible, than to wait for trouble and then spend untold billions before we are finally victors, as we would be. [Applause.] If we are involved in no trouble, we shall be getting off cheaply with the expenditures for preparation. If we should be involved in trouble, the money we spend now will be worth manyfold that which we would spend after the trouble began. [Applause.]

I know gentlemen are sincere in their belief that there will be no trouble. I sympathize with those who prefer to spend the money of the people in the way of investment, in aiding our own people at home, rather than for the support of idle armies or navies. But when the trouble does come, if it should come, there would be no dissentient voice against spending all our means, if necessary, to defend our country and our homes, and it were wise for us now, it seems to me, to commence our preparation.

I do not intend to discuss the details, though I have reached the conclusion myself that it were well, as an emergency measure, to increase our Regular Army to 250,000 or 300,000, or even half a million men [applause]; that we should increase or provide our fortifications, so that our coasts may be fairly, amply protected, and that we should provide a Navy which will be able to defend us on the sea. I have much more fear, in the end, of war with England than I have of war with Germany. [Applause.]

Events are coming rapidly in the world. We may sit by and wait in contentment, and yet it is our duty, as the managers of a great country and a powerful people, to provide for their protection against possibilities as well as against certainties. I think, then, that we ought to provide these great forces; that it ought to be considered as an emergency matter, entirely apart from the ordinary routine expenses of Government, without regard to partisanship or party lines. [Applause.] If England and France and Germany and Italy can consider their propositions without party lines, a country like ours ought to be able to sweep aside mere partisan considerations and try all to stand together, loyal to the country, in the effort to aid the administration of the Government.

I think, further, that we ought to provide in some way for the building up and the strengthening of our home industries, so that if we shall become involved in war we may be able to live within ourselves. [Applause.] And I think as far as possible that question should be considered entirely apart from former partisan opinion, in the hope that in some way we may get together in the interest of our country, if we should become involved in a struggle with a foreign power.

I have spoken thus very briefly, not with rhetoric or fancy phrase, because it seems to me that if there ever was a time in the history of our country when we ought to invite and receive expressions of opinion from all sides, this is one of the times, with a firm determination that out of it we will bring results; a combination of the opinions of all, without expressing the views of any, which we and all of our people may stand for, that we may uphold in the future our national honor and our national integrity; and, it seems to me, possibly our modern civilization, which I fear may break down on the other side of the water. Let us try to think what is for the best of our country, what we would do if we had each one the supreme authority and responsibility, if it were placed upon each one to determine whether he would take the chance of disaster in the future or prepare now to prevent that disaster. [Prolonged applause.]

ORDER OF BUSINESS.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on Thursday, after the approval of the Journal; and, if such consent is granted, I pro-

pose to address myself to the subject, "The real causes for the necessity of getting ready."

The SPEAKER. The gentleman from Massachusetts [Mr. GALLIVAN] asks unanimous consent that on next Thursday, after the reading of the Journal and the disposition of the business on the Speaker's table, he be permitted to address the House for 30 minutes, subject to the conditions imposed on all these speeches, that they are not to interfere with appropriation bills or privileged matters. Is there objection?

There was no objection.

Mr. LITTLEPAGE rose.

The SPEAKER. For what purpose does the gentleman from West Virginia rise?

Mr. LITTLEPAGE. I rise for the purpose of asking the unanimous consent of the House that I be permitted to address the House to-morrow, after the reading of the Journal, on the subject of peace.

Mr. MANN. Mr. Speaker, would the gentleman from West Virginia permit me to suggest that to-morrow is Calendar Wednesday, and that we have a very important bill up, where the time is necessarily limited?

Mr. LITTLEPAGE. I would quite agree with the gentleman from Illinois, but I fear I shall not be here Friday.

Mr. MANN. To-morrow is Wednesday.

Mr. LITTLEPAGE. I will call it up later. I do not want to interfere with the business of the House. I would take only perhaps 25 minutes to-morrow.

The SPEAKER. Does the gentleman from West Virginia change his request to Thursday?

Mr. LITTLEPAGE. I shall not be here Thursday, Mr. Speaker. I will just let it go by for the present.

Mr. HUMPHREY of Washington rose.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. HUMPHREY of Washington. To ask unanimous consent that on Thursday, immediately after the reading of the Journal and the remarks of the gentleman from Massachusetts [Mr. GALLIVAN], I be permitted to address the House for 40 minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent that next Thursday, at the conclusion of the remarks of the gentleman from Massachusetts [Mr. GALLIVAN], he be permitted to address the House for 40 minutes, subject, of course, to the restrictions that are put on all these speeches. Is there objection?

There was no objection.

The SPEAKER. Under the special order of the House the gentleman from New York [Mr. BENNET] is recognized for 30 minutes.

THE COMMON DEFENSE.

Mr. BENNET. Mr. Speaker, except for the application of a general doctrine to a particular interest or, rather, to a particular locality, it would be gross impertinence on my part to address this House at this time upon the conclusion of the magnificent, patriotic, American address of the gentleman from Illinois [Mr. MANN]. [Applause.] I rise to do so because on the morrow the President of the United States journeys to the city which I have the honor in part to represent.

The President of the United States is the President of us all, whether we voted for him or not. He will be cordially welcomed in that great American city; welcomed for many reasons; welcomed because of the high office which he holds; welcomed because of his learning and ability; and welcomed because of his high personal character as a man. Yes; more than that; he will be welcomed because the errand on which he comes is popular in the community to which he goes.

There is another reason why he will be cordially welcomed, if the President chooses to avail himself of it. Personally I am of what passes in this country for old lineage. My most recent foreign ancestor came here in the eighteenth century, and I have only an intellectual appreciation of the fact that a man may be the best possible American citizen and yet retain a warmth of affection for the land of his birth or of his ancestry. But the President in that regard, going to that great American city, is doubly fortunate. I have no doubt that his biography, as published in the Congressional Directory, was submitted to him and is correct. Amongst other things, he says his father was a native of Ohio and his mother of Scotland, and his ancestry on both sides is Scotch-Irish.

In that city of over 5,000,000 people, now the largest city in the world, there are thousands among the citizens and the residents who can understand with an affectionate warmth the purpose which impelled the President of the United States in referring in his autobiography to the land of the birth of

his mother; and we, who are in whole or in part of Celtic ancestry—and there are many such in the city to which he is going—will agree with him that his mother, and therefore himself, came from one of the best race stocks that there is.

But the President of our country, if he will avail himself of it, can at once touch the heartstrings of the majority of our people by alluding to the fact, which must be present in his heart, that a man can be a loyal American citizen and yet love the customs, the songs, the people, and have an interest even in the present affairs of the country from which at least one of his parents came.

Mr. Speaker, many things are necessary under the general head of preparedness. The gentleman from Illinois [Mr. MANN] has spoken of both material and spiritual things which are necessary. For my part I purpose to speak largely along the lines of those matters which come under the head of spiritual rather than material preparation; for, first and foremost, if we are to be prepared for any emergency, we must be ourselves a united people. The Scotch-Irish people, of whom the President is one, belong largely to one great church, a church to which some of us here have also the honor of belonging, and which we hold in affectionate regard. In the old days of the Scotch kirk, when a member of one of those Presbyterian churches was starting out upon a journey or toward the accomplishment of a great purpose, it was the pious duty of a fellow member to give him a word of Scripture to be of assistance to him on his journey. Oh, I would that as a fellow Presbyterian I could, before the President made his recent address to this House, have given him a word of Scripture, which I now give him in all seriousness to take to that great city which I love. This is the phrase:

But let all men be swift to hear, slow to speak, slow to wrath, for the wrath of man worketh not the righteousness of God.

If the President had had that phrase in his mind, he would have hesitated before, on very slight evidence, he used those particular words in which he segregated a portion of our citizenship, notably a certain portion born abroad. For the President is not unfriendly to people of foreign birth. I do him the justice willingly to admit that, and to call swiftly to the attention of this House the fact that the words of scorn which he heaped upon unknown and unnamed persons were followed in the next sentence by one of the most generous tributes to citizens of foreign birth ever uttered in this House by either President or Member. The President simply was misled by some one; and as he journeys to our great city, he can do the cause which he represents no greater good than by demonstrating that even a President of the United States is not too great nor too proud to apologize for a statement made almost without foundation.

For what are the facts about this allegation as to persons of foreign birth involved in plots? I have addressed two resolutions of inquiry, one to the President, one to the Attorney General. The newspapers inform us that the names have been sent to our Judiciary Committee, although the Judiciary Committee has not brought them to the attention of the House. And during these long months of war I find that of citizens of German birth there is just one, or possibly there are two, who have been even accused of violations of our neutrality laws [applause], Mr. Lyendecker, of New York City; and if Mr. Schulteis, of Illinois, is an American citizen of German birth, then the number is two instead of one.

Mr. DYER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. BENNET. For a question; yes.

Mr. DYER. Does the gentleman mean to say to the House that he interprets the speech of the President to the effect that his criticism was directed toward people born of German parentage or in Germany?

Mr. BENNET. Mr. Speaker, the speech was interpreted by the country to relate to American citizens in this country who had been born subjects or citizens of the central powers; and the President, as a scholar of ability and a man of learning, should have realized that in the condition of the public mind his speech would have been so interpreted.

The President of the United States can, if he will—

Mr. BORLAND. Will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. BENNET. For a question.

Mr. BORLAND. The President having clearly limited his remarks to actual offenders, why does the gentleman say that any such interpretation as that should necessarily be placed on his speech, when it was distinctly limited to men who were actual offenders against the American laws?

Mr. BENNET. Because out of a total foreign-born population in our country of something over 14,000,000 the proofs show that but one man has been even accused of a violation of our neutrality laws, a number so infinitesimal that neither the President of the United States nor anyone else in a high position of responsibility should have agitated our united citizenship by an implication which, coming from such a source, must have been considered to refer to large numbers. [Applause on the Republican side.]

Mr. HEFLIN. Will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Alabama?

Mr. BENNET. Just for a question; but I desire to give notice that after that I shall not yield, as I see my time is short.

Mr. HEFLIN. Does not the gentleman know that when the President made that reference he referred only to those who were classed as anarchists in this country, those who were trying to blow up buildings and destroy powder works in the United States in their efforts to aid warring factions across the waters? Does not the gentleman know that the President did not mean to reflect upon the great body of patriotic Germans and Hungarians and others born on foreign soil but now obedient to our laws and loyal to our flag?

Mr. BENNET. I say again, patiently, that I have no doubt that the impression was conveyed to the country that the President did refer to people who were engaged in plots such as that, but also that he referred to those who were born under the jurisdiction of the central powers, and that if the President had investigated he would have found out that the accusation was against only one man who came within that class, and that being so, he ought not to have said it.

Mr. BARKLEY. Does the gentleman mean, then, that the—

Mr. BENNET. I said I would decline to yield further, and I must decline.

The SPEAKER. The gentleman declines to yield.

Mr. BENNET. Mr. Speaker, I regretted the speech that was made here by my warm personal friend, the gentleman from Massachusetts [Mr. GARDNER], because it has made more difficult the task to which he and the President of the United States have addressed themselves, differing only in detail. We can not go forward as a united people unless we are united, and we can not be united if Representatives in Congress, or the President of the United States, or Members of the body at the other end of the Capitol by word or speech segregate any part of our common citizenship. [Applause.]

I did not rise to defend that large body of voters in my congressional district who are of German birth and ancestry, and I shall not defend them now, because the German stock in this country is as old as that of any other country. And if the gentleman from Massachusetts had exercised his memory—for he has the knowledge—he would have recalled that the very first Speaker of the House of Representatives was a German. [Applause.] He was the son of that distinguished Lutheran clergyman who rose in his pulpit during the Revolutionary War, preached a forceful sermon of adherence to the Revolutionary cause, and then, throwing aside the black cassock of the clergyman, stood revealed in all the panoply of a soldier of the American Army and demanded that those men who were loyal to the cause of the Revolution should follow him from the church to the field. [Applause.] He led from that building more than 300 of the staunch, sturdy Germans, members of that Lutheran congregation, and from that day to this citizens of German birth have needed no defense, and need none now.

It is the glory of this country that, coming from every race stock as we do, we have agreed so well, we have progressed so well, that we have differed so little. It is worthy of note, even by the newspapers of the city of New York, that amid all the toil, tribulation, and trouble and rumors of war that come to us from Europe, our five million from all races of stock continue to dwell and do business together, untroubled by the fact, so far as their relations one to the other are concerned, that across the water their kinfolks are engaged in a desperate, deadly struggle. We have with us a united people; and it is therefore the more regrettable that people in high position, first, the President of the United States, and then the gentleman from Massachusetts, following a bad example, should do anything to segregate us. From the first we have had in the city to which the President is going a desire to welcome the stranger of other faith. In 1657, when New York was a Dutch province and partly settled by English, it is to the honor of those English that when the Quakers, the members of the Society of Friends, came into the province and established a church a demand was made upon the governor that he should prosecute them. The sturdy English

citizens inaugurated a practice by sending a memorial to the governor, in which they said:

* * * Neither stretch out our hands against them to punish, banish, or persecute them. * * * That which is of God will stand, and that which is of man will come to nothing. * * * Therefore, if any of these said persons come in love unto us, we can not in conscience lay violent hands upon them, but give them free egress and regress into our towns and houses. * * * This is according to the patent and charter of our town * * * which we are not willing to infringe or violate.

Thirty-one of these men stood to that document until their lands were forfeited rather than violate that early principle of the island of Manhattan. As we commenced, so we have gone on, as our President ought to know, in that mutual living-together in comprehension, in forbearance, and training our young to have an absolute loyalty to the American Government.

I do not know the custom of other cities, and other cities do not know ours, but I want those here to know that at least once a week in every public school in the city of New York—and we have 700,000 children in our public schools—every boy and every girl is brought together in one big room, the American flag—our beautiful flag—is brought in with ceremony, and all rise and salute, and they say something like this: "I pledge adherence to my flag [applause] and to the country for which it stands, a Nation one and indivisible." [Applause.] It is that training from the earliest day which has laid the foundation for the loyal American patriotism which the President of the United States will find in the city of New York.

Now, was there dissatisfaction as to the President's speech here and to the speech made at the Manhattan Club? Certainly. Is there disloyalty? Not at all. I represent upon this floor next to the largest Democratic district in the city of New York. I think my friend BRUCKNER has a larger Democratic district than I have, but the Democratic majority over the Republican vote in the twenty-third congressional district was, according to the enrollment at the special election at which I was elected, nearly 13,000. I have a right to say some things from his fellow Democrats to our Democratic President.

Why was this overturn? On my personal merit? It would be both immodest and untruthful in me to make that assertion. Entirely on account of the tariff? I should like to be able to say that, but it would be inaccurate. Gentlemen like Mr. CAMPBELL and Mr. LONGWORTH, who came there and spoke on the tariff, contributed thousands of votes to me on election day; but that great district, more than 80 per cent of which is either foreign born or, like the President, children of parents one or both of whom is foreign born, voted for me because I made a campaign on the platform of an adequate national defense. [Applause.] If there is one voter of German birth and parentage in the congressional district, there are twelve thousand of them, and my reiterated speech in that campaign was that, if I was elected, I would come here as an American, to represent an American district in an American Congress; and I would not dare to go back to the twenty-third district, foreign born as it is, unless I so represented an American district in an American Congress. [Applause.]

Are our fellow citizens of German birth satisfied? No. What is it they demand? Simply that there shall be a uniform American policy adopted by the administration and enforced against all nations alike. Are they distressed when our Nation demands reparation for the death of our citizens? No; but they are distressed when they detect or think they detect in the administration of our laws a partiality as between nations. I do not agree with my friend from Massachusetts [Mr. GARDNER] that the great battle of democracy is being fought by Great Britain. The great battle of democracy and of progressive government is being fought now as for a hundred years in the United States of America. [Applause.] It is here that the present hope of the best government is, and it is here that our efforts should be devoted toward perfecting that government. Our fellow citizens of German birth note the sternness of the notes that went to Germany and they call upon us to note that as between the central powers and ourselves a solution of those problems is being reached, which bids fair to be creditable to both sides; but they also call upon us to note that there is no "strict accountability" note going to Great Britain, and they demand as Americans that we perfect an American policy and stand by it as against the whole of the world or any portion of it.

Mr. GARDNER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Massachusetts?

Mr. BENNET. How much time have I?

The SPEAKER. Four minutes.

Mr. BENNET. I will yield for a question.

Mr. GARDNER. Does the gentleman know of any German-American newspaper that denounced the sinking of the Lusitania?

Mr. BENNET. As I do not read German I can not say they did or did not. I am not defending that act, and my friend, with his excellent knowledge of English, I think understands my position correctly. What our citizens of German birth or extraction do protest against is the fact that we seem to be sinking into the position of a dependency or territory of Great Britain. My friend from Massachusetts [Mr. GARDNER], if he is logical, holds that view, because he says that during the progress of the war we ought not to interfere with the violations of neutrality laws on the part of Britain. If we decline to interfere, then we become an ally of Great Britain, and if we are going to be an ally of Great Britain, let us have the old-fashioned American sturdiness and take the disadvantages with the advantages. If the gentleman wants us to be an ally of Great Britain, and if this House thinks that way—which I do not believe—let him introduce his resolution so that the American people can at least have the courage of Japan and not be in the present position of Greece. Do I overstate our position? Let me give one or two illustrations. A citizen of New York City, a diamond merchant, with an office for more than 20 years in Amsterdam and an office for more than 30 years in New York, desired to send \$300,000 in gold on a neutral steamer from himself in New York to himself in Amsterdam to pay his own bills and was not permitted to do so by the British Government, although the shipment was on a neutral ship. A constituent of mine who earned every dollar that he made shipped \$15,000 worth of furs to a Scandinavian country, to a neutral port on a neutral ship, from a neutral country, from an American citizen to, I think, a Danish subject, and they were seized and taken into Kirkwall, together with, I think, as I recollect it, something like 400 ships since the beginning of the war, in absolute violation of international law, both American and British.

The gentleman from Illinois [Mr. MANN] was quite correct. If we ever get into any contest, which God forbid, we stand a far greater chance, with these daily recurring instances of high-handed oppression to our citizens and our commerce, of getting into trouble with Great Britain than with Germany. For one I hope that we will get into trouble with neither, and I hope that the views of the President and those who think with him will prevail for preparedness, but beyond that and above that I most sincerely trust that the advisers of the President and the President himself, sympathizing as he must with persons of recent foreign birth, will recognize the necessity of removing the causes of irritation and uniting our people, whether of native or foreign birth, not on any policy of aggression, not into any speculation, but behind and upon an American policy for an American people, administered by an American Government. [Applause on the Republican side.]

Mr. LITTLEPAGE. Mr. Speaker, I ask unanimous consent that I may address the House for 25 minutes at this time.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to address the House for 25 minutes at the present time. Is there objection?

There was no objection.

Mr. LITTLEPAGE. Mr. Speaker, a very gratifying spectacle has been witnessed in this House this morning. When the people of the entire country are more or less excited in anticipation of some trouble that might possibly arise to see the East and the West, the North and the South, here standing as one man, as one country, having the interest of the country and its general welfare uppermost in heart, is a spectacle that the country ought to be and is proud of.

Mr. Speaker, let me assure the Members of this House that I sincerely appreciate this allotment of time to me, that I may submit some views I entertain in the presence of this, the greatest lawmaking body in the world—a great privilege and honor to any man—and I promise not to abuse that generous consideration or cause you to regret having extended to me this opportunity to, in my humble way, speak to you and through you to my people at home and the good people all over the land—the country of my birth and the country in which it is an honor and great privilege to live and to labor for those whom you love and those dependent upon you. I love my country and all the good people therein. I stand for one God, one country, and one flag. That flag floating out yonder in the crisp breeze represents the highest ideals of citizenship, forbearance, stability, and integrity, and a country where the word of God is the word of its people; where Christianity, which links humanity to God, is fully honored by a noble race of people, whose motto is: "Peace on earth, good will toward men."

We are living in a fast age and during stirring times. Nearly one-half of the population of the world is engaged in killing one another and destroying their neighbors' property, burning the homes of defenseless women and children during the absence in war of the heads of the families; old and indigent people, men and women and little children are starving to death and falling by the wayside to arise no more as flies in the autumn. Public buildings, historic palaces, railroads, bridges, stock, feed, barns, homes, and other property of at least ten nations of the earth are going up in smoke, leaving ruined countries, sick and starving people to fall and die away from their homes among strangers and in strange lands as the result of a cruel, wanton war.

In addition, nearly 10,000,000 soldiers have been destroyed—killed or crippled. Thousands of young men have kissed their parents, brothers, and sisters good-bye and have gone to the front—never to return. A cruel war of conquest, brought on by the rich and powerful, who usually stay out of range, while the poor men of moderate means are at the front doing the fighting and butchering. Great God, what a spectacle! Why, oh why, should the rich and powerful of my country want to involve our country in war? The monarchs of Europe brought on the present world's greatest war. The flower and manhood of that unhappy and desolate country is lying in unmarked tombs. The pride and hopes of those left behind are gone forever, as never again will husband and wife, father and child embrace each other as of yore. No, never; not this side of eternity.

The newspapers, especially those subsidized, are inflaming the public mind of our people. Some of them, and unscrupulous politicians, men who do not love this country and its great traditions, are sinning against the dignity and usefulness of their own Nation. Some of them are engaged in slandering our own great, honest, Christian President, Woodrow Wilson, maligning the President of their great country and mine, trying to embarrass the great chieftain of my country and theirs. But God is with him. He has kept the faith and preserved the command written in that great good book of all books, the Bible, which says, "Thou shalt not kill!"

The great rank and file of the good people of this Republic are with and behind you, President Wilson! The wives and mothers of this Republic are praying to God to give you wisdom and strength of character to stand firm as you are for peace and tranquillity in our land. They have reared their boys to love and cherish high ideals in order to engage in the various avocations of usefulness in life, and not to kill.

When I was a child the ravages of the War between the States destroyed the savings of a lifetime of my father and mother. When the war was over all was lost. Father and brother gone; nothing left; a careworn, widowed mother—God bless her memory—with seven orphan children, in poverty and rags, to struggle for a miserable existence. I know what war means, especially to women and children. I know in fact the misery and woe left in its wake, and I stand here to-day an advocate of peace. I believe in the fatherhood of God and the brotherhood of man. That is what our Constitution means; that is what that flag, the symbol of this Nation, represents.

It is charged that war on the German Empire should have been declared. What unfriendly act toward these United States was Germany ever before this war guilty of, except in her struggle with the combined forces of a great adversary? Why do not our people stay out of range? If two men are fighting with knives or pistols, an innocent bystander, or even a peace-maker, is often killed. We have been worse treated by England than Germany. England wrapped her ship in the American flag in order to deceive hostile countries and adversaries. Our ships have been sunk and the lives of our people destroyed by going into the range in which we have been warned not to go.

These things occurred at a time of great excitement of our neighbors, and we should be forbearing and tolerant, even more so than at any other time. Our worst enemies are at home. Men who, to enrich themselves and reap fabulous fortunes at the price of the dead and dying, the lame and the weak, would plunge our beloved country into war, with all its horrors, and involve us in a \$10,000,000,000 war debt, all for the sake of greed and avarice.

I am for preparedness upon a reasonable and essential plan. Not for aggression but for defensive purposes only. My country's good, my country's progress among the nations of the earth, my country's standing before the world for peace are all higher and more sacred to me than my politics. Where is the true man who would not sacrifice his all for the good of his country—for the uplift and peace of his fellow man? If there be such a selfish man, let him stand before the great bar of public opinion and be subjected to the gaze of honest, patriotic men, and his

leopard spots will quickly develop. Show me a man who can stand the insults, the gibes, and the slander, coming from a great horde of interested sources, uncomplainingly and meekly, that his country may live and prosper and exert an elevating influence for peace and Christianity after he has gone to his final reward, beyond the mystic river of time, and I will show you Woodrow Wilson. [Applause on the Democratic side.] It takes an iron-nerved man of a high and lofty purpose to withstand the slander being heaped upon our President by those so powerful in the financial world, wanting war, in order to double and triple and quadruple their already stupendous fortunes at the expense of the lives of the young men of our country.

Did I raise my boy and did you raise your boys to kill people? We reared them to live lives of Christians. But it is urged by the fighters that when a German submarine torpedoed and sank an American ship and caused the death of so many American citizens, that then and there diplomatic relations should have been severed and war declared upon that unhappy country from whence so many of our best citizens come and have prospered here among us, and where they are respected according to their conduct, the same as any other American citizens.

Mind you, this desperate war was going on on land and sea. The steamship companies were exacting desperately high freight and passenger rates, and for one trip through the war zone some paid likely as much as three trips in times of peace. The people knew the risk they were running. They took the risk and lost. So did the steamship company. Germany has admitted the submarine captain's mistake, and practically disavowed the act, and has agreed to pay the bill. It is true those precious lives can never be restored, but why go into the war zone? Why undertake to pass through it in the time of cruel warfare? Would any man on land undertake to pass between two men shooting at each other? Nor did Germany's submarine captain know but what that vessel was really an English vessel.

How about England? Her course has been disastrous to our commerce on the sea. She seized cotton from the South and was the principal agency which caused the loss, we are told by that splendid and noble Member of the House, Mr. HEFLIN, of Alabama, to the South of \$400,000,000; and but for Secretary McAdoo, one of the greatest Secretaries since Stanton, the Southland, God bless her, would have been nearly bankrupt. But do not you fear! That southern pride, thrift, and chivalry will again come into her own.

What did Germany do, except during the time of this war, to hurt our country?

What has England ever done for our country that she should have done, except to use us? We have seen the hidden mystery, the writing on the walls of the old Capitol Building of this Nation, and even in the Speaker's chair, where one of her boisterous cavaliers once stood. There and then and other places at other times in history of the past you will find the answer.

Now, finally, we are all—the Members of this House and Senate and the President—styled traitors by certain yellow journals because we do not send an army into Mexico, take charge of and run the Government of that bleeding and almost destroyed Republic. The 17 men who were recently so cruelly, cowardly, and ruthlessly massacred in Mexico had been notified not to go into it; that it was not safe; that guerrilla bands were abroad; but they took the chance and lost all. I have no doubt it was done to bring on a conflict between the United States and the de facto government of Carranza, and by the Villa adherents, and perhaps by his advice and counsel, and I believe time will prove that others, closer home, were connected with the plot.

What has Carranza done? Here I insert his reply to our demands that the murderers be punished—put to death. He answered immediately through the accredited representative of the United States in that country, and here it is:

CARRANZA APPEALS TO AMERICAN PUBLIC—LAWLESSNESS IN BEST OF STATES MAY CAUSE LOSS OF LIFE—POINTS TO HIS DIFFICULTY—RAILROAD BESET BY BANDITS LONG AND WIDE AND HARD TO GUARD—OUTRAGE IS TO BE AVENGED—NONE, HE SAYS, CAN LAMENT KILLING OF AMERICANS MORE THAN HE—BELIEVES IT WAS DONE TO PROVOKE INTERNATIONAL TROUBLE—PERPETRATORS OF DEED OUTSIDE THE LAW TO BE PUNISHED BY DEATH—DELAY IN REPORT TO SENATE OF STATE DEPARTMENT DRAWS CRITICISM FROM FALL.

The State Department received last night Gen. Carranza's reply to its request that the murderers of the 17 Americans near Santa Isabel be captured and punished. It came in the form of the following dispatch from Consul John R. Silliman:

QUERETARO, MEXICO, January 16.
SECRETARY OF STATE, Washington:

Department's telegram of January 13, 5 p. m., massacre Americans at Santa Isabel, received at 8.20 and immediately placed before Gen. Carranza by me in person. Gen. Carranza said that he had already issued orders for the immediate pursuit, capture, and punishment of those responsible for the atrocity. He stated that he believed this

outrage was committed by men associated directly with Villa, and that it was done specially to provoke international trouble at this time. He said he had declared those responsible outside the law, to be punished with death if caught.

APPEALS FOR CONSIDERATION.

He appeals to the Secretary of State and to the public of the United States to consider the wide strip of the Central Railway, the great difficulty of guarding the entire distance, and the comparatively easy task of destroying a train or attacking a small place. He says that nobody can lament more than he such an atrocity or be more concerned about it, but that protection is relative and that even in the best regulated state outbursts of disorders and lawlessness may cause destruction of property and loss of life. He says he is expecting full reports from Gen. Trevino, and that all efforts will be made to protect Americans and any other foreigners who may be in the district. His belief is the massacre was made premeditatedly by a band, who fled at once after the raid.

SILLIMAN.

CARRANZA AUTHORIZES "ANY CITIZENS" TO KILL SLAYERS OF AMERICANS.
LAREDO, TEX., January 16.

Gen. Venustiano Carranza, as head of the de facto Mexican government, has issued an order authorizing "any citizens" to put to death bandits implicated in the killing of American mining men at Cusihuiriachio, according to a dispatch to-night from Queretaro. The dispatch also reported that Gen. Carranza to-day transferred his headquarters from Queretaro to Celeva.

The act of a citizen in killing any of the participants in killing of foreigners at Cusihuiriachio would be considered an act of patriotism, and not of crime," Gen. Carranza is quoted as saying.

"Should the bandits cross the American border I trust they will be captured and returned to Mexico for execution."

Since the publication of this information throughout the United States, the leading newspapers of our country are now publishing the following information under date of January 23, 1916, which I quote as follows:

MEXICANS WHO SHOT AKERS HEAP CURSES ON AMERICANS AS DEATH VOLLEY IS FIRED—DURAN BROTHERS DEPIANT AS THEY GO TO EXECUTION IN WEIRD JUAREZ CEMETERY—ELDER DECLARES HE ALONE KILLED AMERICAN RANCHMAN TO PROTECT HOME—REFUSE TO BE BLINDFOLDED—MANY WOMEN SPECTATORS.

EL PASO, TEX., January 23.

With a curse upon their lips against the American people, two young Mexicans, brothers, were shot to death by a Carranza firing squad in the Juarez cemetery at 6.07 this morning for the murder on Friday afternoon of Bert L. Akers, an American rancher, of Ysleta, Tex., while 50 Americans, including a number of women, looked on. Bernardo and Federico Duran, the executed men, went to their death standing shoulder to shoulder against the whitewashed adobe wall of the cemetery. They faced the firing squad with undaunted bravery, refused to be blindfolded, and fell together at the first volley.

Almost their last word was this challenge, flung at the small group of American newspaper men and friends of the murdered Akers:

"Watch and see how Mexicans die, you Americans—"

KILLED TO PROTECT HOME.

The only plea of any sort was made by Bernardo Duran, the elder brother, a few minutes before the end. Standing beside the cemetery gate, he said, in his own tongue, to a correspondent, the only American who talked to the prisoners:

"We are dying for you Americans. Tell the world that. I shot the American because he was trying to force entrance to my home. I was defending my rights, as any man would have done."

"My brother here is entirely innocent. He didn't fire a shot, but they are going to kill him, too. Tell me, is that justice? He is being sacrificed to your American public opinion. We are not afraid to die, but why should an innocent man be killed? He is only 22 years old. I am 24. Some day we will be avenged."

WEIRD MARCH TO DEATH.

While the elder talked the younger brother stood beside him, hands pocketed and lips quivering slightly, but saying nothing. The prisoners were bound together by ropes.

The Juarez cemetery is a mile and a half from the jail where the condemned men spent their last night.

The morning air was cold, but they wore no coats when they emerged at 5.30 a. m. from the prison and took their place between six silent guards and set out afoot for the place of death. Beside the firing squad rode its commander, Capt. Alfredo Ortiz. With heads bent, the brothers strode along talking softly to each other. The guards, muffled in gaudy-colored blankets, shuffled beside them. Once or twice the elder brother's arm went caressingly over the younger's shoulder and he whispered a word of comfort.

The road to the cemetery is a gloomy one, even by day. It leads over a plain dotted with sickly mesquite and cactus. The last half mile before the cemetery gate the road straightens out and the white crosses are visible long before the gate is reached.

PASS THROUGH FATAL GATE.

Neglect has made the burying ground even more desolate than usual. The crosses stand awry over many graves. Few are erect. Standing thus at grotesque angles, they make weird shadows on the weed-covered turf and marble slabs.

Slowly the little procession approached the gate, which stands at the crest of a gentle rise.

Through that gate have gone hundreds of prisoners sentenced to death, most of them war captives. The Americans waiting at the entrance involuntarily shrank back as the prisoners and their guards arrived at the gate, which was swung open by the deaf old sexton, who has guarded it for years. It is of iron and it creaked upon its hinges as it opened.

MARCH TO DEATH HOUSE.

"Halt!" said Capt. Ortiz when the squad had advanced about 10 feet within the cemetery. The gate was closed and the spectators leaned over it. The reporter was permitted to enter and interview the prisoners. The order to advance once more was given, and the group

marched toward the "death house" in the center of the graveyard, 100 yards away.

The white walls of this one-room hut shone in the moonlight. The gate was opened to admit the witnesses, who crowded close to the executioners.

It was 6 o'clock. The church bell tolled in El Paso and reverberated over the plain. Capt. Ortiz advanced and placed a soiled handkerchief over the younger man's eyes, but as soon as the officer stepped away he slipped it to his forehead and muttered, "I will die like Bernardo, with my eyes open."

Bernardo, who had stood quietly until now, broke out into a torrent of abuse, directed at the American spectators.

"Oh, for a carbine now in my hands," he shouted. "I'd show you Americans something. Our death will not go unavenged. Ah, watch and see how Mexicans die, you Americans—"

SENDS PICTURE TO PARENTS.

A Mexican officer who had accompanied the Americans to the cemetery walked to the prisoners and said a word or two. The younger handed him a cheap little picture of himself and asked that it be sent to his parents in Santa Rita, N. Mex. The elder gave him his hat as a present. The policeman embraced them both, and Bernardo said:

"Por la causa" (for the cause).

The brothers spoke softly to each other as they turned and embraced.

"Ready!" said the captain.

"Take aim!"

Church bells in the ancient cathedral of Juarez began tolling to early mass.

"Fire!"

The brothers crumpled to the ground. Bernardo's arm, even in his death agony, lay across his brother's breast as though trying to protect him. A groan came from the writhing figure of the elder. With his dying breath he said clearly, "Oh, God, wait a minute."

Capt. Ortiz drew his revolver and advanced to the fallen men. Quickly he sent a bullet into the brain of each—the mercy shot.

The bodies were displayed to-day in Juarez, and several hundred friends of the murdered American viewed them.

This was indeed a pathetic case, well calculated to arouse both admiration and deep sorrow, but it shows President Carranza's determination to protect the lives and property of Americans in Mexico at whatever cost to his people, and that he is willing to make any sacrifice rather than have the United States Army and Navy invade his country. Tell me after that we ought to start upon a campaign of conquest and invasion and I reply let us first stop, look, and think.

What more could he say or do? The President has, as he should, given him a chance to make good. When the murderers are captured—and it is a big undertaking—and put to death in expiation of their horrible crime against God and his country, and the damage paid as required by international law and good conscience, what more can be expected of the new President of that wretched and disorganized country? Bear in mind war—guerrilla warfare—has been going on there for about three years.

Why do our people want to go there until conditions have righted themselves? It is the desire for greed and avarice which causes men to take chances. God pity the man or set of men who would rush our country into bloody war for the sake of private gain. We are told that it will require 275,000 soldiers, equipped with all necessary war munitions, and a part of our fleet; and the Lord only knows what the expense would be to take charge of Mexico. If we have to send the flag there, I want it to stay; but do not start it. A guerrilla war would at once ensue and would likely last 3 to 10 years, and cost our Republic possibly \$7,000,000,000 to \$10,000,000,000. The majority of our young men going there would never return.

I am opposed to militarism; I am opposed to our Government going on a foraging or conquest tour. We received our dose when we took the Philippines, which we can not now let loose. It is the old bear story again. Only 15 per cent of the people in these islands can read and write. They still have the tribes of head hunters there. Get rid of the islands as soon as possible and on the best possible terms, if we want to be mercenary; keep on civilizing if we want to be noble, however expensive.

My information is that the war in Europe is costing 5 of the 10 nations involved approximately \$73,000,000 daily, and I here insert a clipping considered reliable. Think and ponder over it:

SEVENTY-THREE MILLION DOLLARS NOW DAILY COST OF THE WORLD WAR.

PARIS, January 16.

After prolonged study of all available statistics, Alfred Neymarck, French economist, finds that the daily cost of the war to five of the belligerents has attained \$73,000,000, divided as follows:

Germany, including advances to her allies, \$20,000,000; France, \$16,000,000; Great Britain, \$19,000,000; Russia, \$13,000,000; Italy, \$5,000,000.

Italy's expenses must rise to more than \$6,000,000 daily, however, for by the end of July she will have spent \$3,000,000,000 altogether. The belligerent war loans to the end of last October totaled \$24,000,000,000, of which the United States supplied \$900,000,000. The allies have borrowed \$14,000,000,000 and the central empires \$10,000,000,000.

If war must come, I would like if possible to see an election first held by the people, and let them vote for or against war, with the understanding that if a majority favored war, the first army should be made up of those who voted for war. If this were understood before the voting, I am sure peace would win a sweeping victory all over the land, notwithstanding the

influence of the subsidized press, notwithstanding the power and influence of the money mongers abroad in the land. Oh, for another Christ to drive them this time out of the People's Chamber, that the common people can have a better chance in life! [Applause on Democratic side.]

Go and see the ministers and they will all cry out peace. Go and visit the homes of the wives and mothers of this land, and they will cry out, "Don't send our boys away to kill or be killed." Go among the farmers and listen to their story of peace. Go among the toiling people of the land, the poor people, who are expected to do the fighting, and they will all tell you that since this is to be a rich man's war, let them do their own fighting. Finally, go on the coming Sunday to the church house and there kneel down in prayer, asking God to guide you aright, and you will leave there with the cry of peace on your lips; which cry will be taken up and echoed until the clarion cry for peace and tranquillity will go up throughout the land. Let us sit steady in the boat and not be swept off our feet by interested and ulterior motives urged upon us. Our ship of state is in the balance throughout all the world. The eyes of a billion people are on us. Our own country is in a nervous state. Let us come out in the open where we can cry out to the people, "All is well along the Potomac. We are still sane in Washington." Woodrow Wilson, like the old-time religion, is good enough for me. [Applause on Democratic side.] He has piloted the ship of state through the crags and rocks of Germany, Austria, Russia, and France, and they did not touch him. He is now passing the shoals of England, and is dealing honestly and courageously with Mexico, and we are each and all behind him heart and soul and will stand or fall with him and the flag of our beloved Republic. My friends, all is well.

Cardinal Gibbons, that great and good man of whom his country is justly proud, in answering an invitation recently to address the National Conference on Immigration, is credited with sending the following answer:

Though my official duties and increasing age prevent my doing all I should like, allow me to assure the committee of my heartiest sympathy with the work. Above all times now should our fellow citizens and compatriots be undivided in loyalty and devotion to the Stars and Stripes. May wisdom and forethought guide you and our national leaders for the best interests of our beloved country.

The exhibition of such patriotism, coming from such a high source, must give inspiration and comfort to our President and to millions of our people. We judge a tree by its fruit and a man by his love of country.

We have for the first time in my day an opportunity to grasp and take the bulk of the commerce of the world. What shall we do for our country and business men in this national emergency? Shall we be sane and patriotic or shall we pick a quarrel with some poor, oppressed, distressed, and broken-down neighbor and go to fighting? Do we want to help the business interests of this country, thereby giving employment and a higher wage to millions of our toilers? I advocate the acceptance and taking care of the wonderful volume of trade now persistently knocking at our door. In the sight of God and man, would it not be more Christianlike for us to accept the situation and be getting ready to feed and clothe these belligerent nations and sell them our products and help them rebuild their countries when this cruel war is over? A peaceful solution and avoiding war means everything to our country and people for the next 10 to 25 years. Peace means prosperity throughout our whole country. It means greater profits for our products in all lines of business and a higher wage than ever before paid in this country to our toilers.

In order to in part satisfy the demands coming from Europe now, even though the war is not ended in those ill-fated countries, our railroads are taxed beyond their capacity to handle the freight offered to them for transportation from the interior of our country to the seacoast. There is now afforded almost continuous employment at a better wage to the coal miners of this country than they have ever heretofore enjoyed. It has increased the price of coal from about 70 cents run of mine to \$1.40 per ton, and for the first time in many years our coal operators, who deserve so much attention and encouragement at our hands, are beginning to realize almost a reasonable profit on their business. What a glorious state of affairs, my countrymen, this is, and oh, what a shame and a pity it would be if we should prove in this House and the Senate so narrow minded as not to take advantage of a situation not created by ourselves. Our iron and steel mills are running in full blast with orders a year ahead. Our farmers are beginning to reap the harvest they have so long been entitled to and laboring for. Our toilers throughout the country are now better satisfied than they have ever been; our business men are looking upon a bright future.

These are not political matters, but business matters deserving of our serious and honest consideration. Peace will give

us and our country all we want; war will nearly ruin us. Are you with your country and mine? Do you love your country and its people? Do you love our traditions and institutions? Do you love the Constitution of this Republic? Do you want to see your country and all the people therein prosper? Do you want to see them happy and contented? If so, stand as the President stands—for peace. He sees this situation, and is fighting a battle royal against desperate influences that his country and his people may by their course set an example to the world to be emulated by future generations. All this great struggle he is making is in the interest of his country's good. He is not a politician, but a patriot.

I again thank you for your attention. [Applause.]

RURAL POST ROADS.

Mr. SHACKLEFORD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7617.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7617, with Mr. RUCKEN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 7617) to provide that the Secretary of Agriculture, on behalf of the United States, shall, in certain cases, aid the States in the construction and maintenance of rural post roads.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That out of any appropriation made under the provisions of this act the Secretary of Agriculture shall deduct the sum which he shall deem necessary to defray the expenses of his department in the administration of this act and apportion the balance of said appropriation for expenditure under the provisions of this act in the several States in the following manner: \$65,000 to each State, and one half of the remainder in the ratio which the population of each State bears to the population of all of the States, as shown by the latest available Federal census, and the other half of such remainder in the ratio which the mileage of rural free delivery and star mail routes in such State bears to the mileage of rural free delivery and star mail routes of all the States as shown by the latest available report of the Postmaster General.

Mr. TRIBBLE. Mr. Chairman, many gentlemen opposing this good-roads bill claim to be disturbed about "Where is the money to come from?" Some do not hesitate to say that it may interfere with the preparedness program. I consider these objectionable excuses and not reasons for their opposition.

Mr. Chairman, yesterday the Supreme Court of the United States declared the income tax constitutional. From that source this Government can raise many times as much money as it is now raising from the income tax as provided in the Underwood revenue bill, without burdening anyone. Mr. Chairman, I do not belong to that class of people who would say, "Lay on, Macduff." No, but I do believe that the wealthy of this country, those who have accumulated enormous fortunes, should be made to bear their legitimate share of the burdens of taxation. The Underwood revenue bill produced receipts, as follows, for the year 1915:

Customs receipts.....	\$209,786,672.21
Internal revenue, ordinary.....	283,398,769.85
Corporation income tax.....	39,155,596.77
Individual income tax.....	41,046,162.09
Land sales.....	2,167,136.47
Miscellaneous.....	70,287,372.90
Total.....	637,910,827.58

This shows the income tax falls far short of receipts it should produce. I want it distinctly understood that I am not in favor of collecting one dollar of revenue from the stamp taxes. I think the time has come when this House should repeal the stamp taxes. [Applause.]

It has been proposed to continue indefinitely the stamp tax and to include in its provisions bank checks, notes, gasoline, and other articles included in the Spanish-American War tax. I trust my party will not call on me to vote for measures that place additional duties on checks, on notes, on gasoline, and other articles of like character. [Applause.] If we must have an emergency war tax, then let us levy duty on munitions of war. Munition makers are reaping unheard-of profits, then let those benefiting by the war in Europe bear this burden while others are suffering from the sudden outburst of this most horrible war of all times. [Applause.] Now, Mr. Chairman, I am going to show you another source from which the revenue of this Government can be raised instead of stamp tax. The Constitution of the United States specifically provides that the Government may lay and collect taxes on imports, tariff duties, and refuses to delegate this right to the several States, thus recog-

nizing this as the principal source of revenue for the General Government.

Furthermore, this method of collecting tax has been the cornerstone of the Democratic Party. Three times the Democratic Party has been the dominant party since the Civil War, and each time declared for revenue tariff. The platform of 1884 reads as follows:

From the foundation of the Government taxes collected at the customhouse have been the chief source of the Federal revenue.

Upon that platform the Democratic Party won. [Applause.]

In 1892 the Democratic Party declared:

We declare it to be a fundamental principle of the Democratic Party that the Federal Government has no constitutional power to impose and collect tariff duties, except for the purposes of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

Upon that platform in 1892 the Democratic Party again won.

In 1912 the Democratic Party took the exact language of the platform in 1892 in regard to the collection of the taxes of the Government by tariff duties for revenue purposes only, and upon that platform in 1912 the Democratic Party again won.

Now, Mr. Chairman, the Democratic Party has won three times since the Civil War on the platforms I have just read. Then, Mr. Chairman, I contend that Democrats are following the landmarks of our fathers when duties are levied on imports for revenue, and I fail to find any precedents for a stamp tax.

Mr. Chairman, in 1900 the Democratic Party went after a strange god in its platform, and no mention was made of collecting customs duties on imported goods for Government revenue.

Mr. SLOAN. That was the exception?

Mr. TRIBBLE. I will answer the gentleman by saying this is my personal opinion; I did not say this critically, and my observation is the gentleman's own party—the Republican Party—has also made mistakes. I think the Democratic Party made a mistake when it made this declaration:

The burning issue of imperialism is regarded as the paramount issue in this campaign.

That is an important question, but not paramount.

Mr. Chairman, this stamp tax was imposed upon the people at a time when it looked as if it were absolutely necessary to collect more duties in some way. It was said that the tariff could not be revised at that time quickly enough for the purpose of getting the revenue. The Democratic Party considered it wise not to expect much revenue from the income tax, for the reason that the Supreme Court might declare the act unconstitutional; but now why not immediately increase its capacity as a revenue producer and at the same time revise other sections of the tariff bill on luxuries for the purpose of raising revenue?

Mr. Chairman, at this time there is no war in this country; normal conditions are returning. It is true we face a condition now caused by the European war demanding additional legislation for revenue purposes, but let us not depart from the landmarks of successful tax laws. The Underwood-Wilson tariff bill would have produced enough revenue under ordinary circumstances. We confront extraordinary conditions. On account of the European war there has been considerable reduction of imports from foreign markets and consequently less duty levied, making a deficit in our revenues. There would have been ample revenue collected at the customhouses from imported goods if we had had normal conditions, but I contend this condition should be remedied by increase of income tax, customs duties, munitions of war duties, or some other method, not stamp tax on articles of common use, annoying everybody. [Applause.] Should additional duties be placed on certain imports to meet this present emergency, when the emergency passes away then the duties can be restored as now provided in the Underwood revenue bill.

Mr. SLEMP. Will the gentleman yield?

Mr. TRIBBLE. I yield.

Mr. SLEMP. Will the gentleman from Georgia give a list of the articles on which he desires to have the tariff restored?

Mr. TRIBBLE. Mr. Chairman, I am not prepared to give a list of the articles on which the tariff should be raised. It may not be necessary to increase any custom duties when the income tax is properly revised and duty levied on munitions of war, but should it be necessary, only a few luxuries will meet fully the demand.

Mr. SLEMP. I just wanted to have the gentleman's opinion.

Mr. TRIBBLE. I know the gentleman is in good faith in his inquiry. Mr. Chairman, there are three items I can furnish, and first of all I would say an increase of income tax, and if that does not produce a sufficient amount, if we are going to resort to stamp taxes, then, second, place duties on munitions of war; third, tariff duties on luxuries. I repeat, we are not

engaged in war justifying continuation of the stamp tax and enlarging its provisions. [Applause.]

Mr. Chairman, this Congress should pass the good-roads bill now before the House. We must also pass a rural-credit bill with Government aid. Furthermore, we should also pass a merchant-marine bill. When the war began American vessels carried 8 per cent of our products to foreign countries. Of course, the merchant vessels of the warring countries were required for war purposes, thus giving the ships left on the ocean for transportation purposes a monopoly. Before the war cotton was shipped from Galveston to Liverpool for \$1.10 per bale; after the war it has been costing \$17.50 from Galveston to Liverpool per bale. Since I have been in Congress I have been contending that the Government should so construct auxiliary vessels for the Navy that they may be used for commercial purposes in time of peace. During the consideration of the last Navy bill I succeeded in cutting out of the bill on the floor of the House transports and hospital ships, over the protest of the other members of the committee, saving \$4,500,000. These auxiliaries are not needed in time of peace and are purchased for temporary purposes in time of war. I am willing to vote for this class of vessels if the Government will use them as merchant vessels in time of peace. Should war come, such auxiliary vessels as scouts, transports, mine layers, fuel ships, hospital ships, supply ships, and ammunition ships could be secured instantly from the merchant vessels used by the Government for commercial purposes in time of peace. Annually we are spending millions for these small war vessels in the Navy. Why not put them and their crews to work in time of peace? That is the kind of merchant marine I favor, and if this Congress will adopt it the products of this country will be transported to foreign markets at reasonable rates and no longer will the transportation of a bale of cotton to foreign markets cost \$17.50 per bale.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] is recognized.

Mr. WALSH. Mr. Chairman, I yield to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, it affords me great pleasure to see and note even a partial conversion of one of our Democratic friends.

Mr. SHACKLEFORD. What is the amendment to which the gentleman is speaking?

Mr. GREEN of Iowa. I am speaking to the amendment of the gentleman to strike out the last word. I am speaking in opposition to it.

I fear the gentlemen on the other side, from the remarks of the gentleman from Georgia [Mr. TRIBBLE], who has last spoken, and the remarks of the gentleman from Ohio [Mr. GORDON] yesterday, do not fully understand the condition of the Treasury. The gentleman who has just spoken says he would repeal the stamp tax. He is not in favor of it. Does the gentleman know that if that act was not put in force we would have a deficit, according to the statement of the President in his message, of about \$84,000,000 for this fiscal year. The gentleman from Ohio [Mr. GORDON] yesterday spoke about surplus and deficit, in the inquiry he made of the gentleman from Wisconsin [Mr. LEXROTH]. Apparently he understood that the surplus referred to the amount in the Treasury—

Mr. GORDON. Let us hear your definition of it.

Mr. GREEN of Iowa. I hope the gentleman from Ohio will not look at me in that alarming manner. He overawes me by his awful presence. [Laughter.]

Mr. Chairman, we have continued the stamp taxes for the rest of the year, but even that is not sufficient. We still will have a deficit of about \$43,000,000 with it continued to the end of the fiscal year. With the continuance of the sugar tax there will be still a deficit of something like \$28,000,000 for this year.

In speaking of deficits we mean the difference, the amount which our revenues are less than the amount of our expenditures. When we have a surplus, as we usually have under a Republican administration, we mean the amount which the revenues exceed the expenditures.

Now, the gentleman says that he would repeal the stamp tax, take off \$80,000,000, and then he would get the amount necessary to make this up and what is needed for other expenditures, which were not referred to by the President, by levying a super-tax on incomes, which he estimates, as I understand, would produce \$100,000,000 to \$200,000,000. But that would not be sufficient. He would have to have some further method of raising revenue besides that if we are to have expenditures like these, with the condition of the Treasury as it is to-day. On yesterday, when there was an inquiry about it by the gentleman from Ohio, the balance in the Treasury, excluding the

amount subject to the check of the disbursing officers, was about \$50,000,000. The first of last June the balance had run down to \$15,000,000, according to the daily statement at that time. Upon the basis which is now estimated we should, of course, add the amount which was in the fund for the redemption of national-bank notes. But even then it is apparent that we should reach the same condition or worse this year, and that we shall be doing as we did last year—carrying on the Treasury by paying the bills out of trust funds that are under the control of the department.

The President of the United States recommended—and very properly—that we ought to have an amount of at least \$50,000,000 in the way of a net balance in the Treasury. How are we going to get it? By these indefinite suggestions made by the gentleman from Georgia? Nothing in that line will produce it. By raising the duty on some particular article? The establishment of a new duty on dyestuffs, for example, will not help us. I understand that is likely to be brought before the House soon. What we need—and the only thing that will bring us back to a point where we will have a free balance in the Treasury—is a Republican tariff, administered and prepared upon protective principles. And we also need an economy that has not been visible so far. There seems to be a tendency on the part of some Members—and it is not confined entirely to one side of the House—to vote for every appropriation, but a great reluctance to levy any tax to pay it. But taxes must come, and they will be increased if this bill passes in its present form and no different methods are devised for additional revenue. This is especially true if we are to carry out the program indicated in the President's message and add thereby two or three hundred million dollars of additional expenditure.

Mr. SHACKLEFORD. Mr. Chairman—

Mr. FARR. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. For what purpose does the gentleman from Missouri [Mr. SHACKLEFORD], the chairman of the committee, rise?

Mr. SHACKLEFORD. I wanted to make a request.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Let us see how many amendments there are.

Mr. SHACKLEFORD. I want to see how much time we can devote to this section and amendments.

Mr. MANN. We would like 20 minutes on the section and amendments.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that the time for discussion of this section and amendments thereto be limited to 25 minutes, 5 minutes to be controlled by me and 20 minutes by the gentleman on the other side.

The CHAIRMAN. The gentleman from Missouri [Mr. SHACKLEFORD] asks unanimous consent that all debate on this section and amendments thereto be closed in 25 minutes, 20 minutes of the time to be controlled by the gentleman from Illinois [Mr. MANN] and 5 minutes by the gentleman from Missouri [Mr. SHACKLEFORD]. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. FARR].

The Clerk read as follows:

Page 2, line 19, after the word "general," insert the following: "Provided, That no portion of this appropriation shall be used in the construction, maintenance, or repair of all toll roads."

Mr. MANN. I yield to the gentleman five minutes.

Mr. FARR. Mr. Chairman, I do not think it necessary to discuss the amendment. It really speaks for itself. None of this money should be used on toll roads.

I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back four minutes and a half. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. FARR].

Mr. SHACKLEFORD. Mr. Chairman, let us have that reported again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 8, after the word "act," insert "not exceeding \$750,000."

Mr. MANN. Mr. Chairman, I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] is recognized for five minutes.

Mr. WALSH. Mr. Chairman, the purpose of this amendment is to place some limit upon the amount that can be deducted and set aside by the Secretary of Agriculture for the expenses of his department in construing this act.

This is a new proposition, and it will offer a fertile field to any department head so inclined to construct a department made up of political henchmen and to have road inspectors installed in office in each of the 48 States of this Union. I am satisfied that the great majority of the people in certain sections of this Union are pretty hungry for Federal funds, if the opinions as voiced by their Representatives here on the floor are any criterion of their desires, so that we ought to limit the opportunity offered by this bill for the appointment of a great army of Federal officials, and we ought to say, as was said in the bill offered last year and in the Sixty-second Congress, that there shall not be expended more than a reasonable sum in the expenses of the Department of Agriculture. I think in one bill the amount set out is \$880,000, and I submit that \$750,000 will be ample for the department to use in passing upon these plans and in making up its mind whether these roads for which is sought Federal aid are projects worthy of funds from the Federal Treasury.

I ask that this amendment be adopted; and I wish to state here that I have another amendment to this section which I desire to offer at the proper time.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts yields back two minutes. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

Mr. SHACKLEFORD. Mr. Chairman, I did not catch the exact language of that amendment.

The CHAIRMAN. The Clerk will report the amendment again.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

Mr. SLOAN. Mr. Chairman, I have an amendment which I will ask the Clerk to read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 2, line 7, after the word "sum," strike out the words "which he shall deem necessary" and insert the words "which shall be appropriated by Congress following estimates submitted by."

Mr. SLOAN. Mr. Chairman, the purpose of this amendment is akin to the amendment just voted upon.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman.

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] is recognized for five minutes.

Mr. SLOAN. I desire to say, Mr. Chairman, that the amendment I have presented is akin to the amendment just voted upon, upon which there was a very close vote.

The purpose of it, as those in charge of the bill will see, is to require that the Secretary of Agriculture, in performing this new piece of work that is delegated to him, shall be controlled in the same manner as he is controlled in any other public project which it becomes his duty as Secretary of Agriculture to execute or to have charge. In every appropriation bill that comes into this House the first thing arranged for is the salary for the head of the department, and the next is the allowance of salaries of those whom he desires to select for his assistants. There is no reason on earth that I can conceive why the Secretary of Agriculture should be given the discretion of spending at his own whim or will one dollar out of the \$25,000,000 or all of that \$25,000,000 for purely administrative purposes. There is nowhere indicated in this bill where he is denied that discretion. All I ask is that instead of leaving it to the arbitrary discretion of the Secretary of Agriculture it shall be submitted to the usual appropriating committee of this House, and then that appropriating committee will lay out what ought to be of the \$25,000,000 a year for administration of roads. That will be separated and given first to the head of the bureau, if one be established, and next to the number of employees that may be allowed. So that any purpose a Secretary might have of making a political machine out of this work would be thwarted. It is so attempted to be thwarted in every other department of the governmental activ-

ities. I think that the committee ought to agree to this. The suggestion should be enough to have this allowed.

Think of the discretion allowed by this bill in its present form. The Secretary who obtains his position without the direct vote of anybody, is given a war-lord's control of a chest of \$25,000,000. Of this vast sum he may use all or most of it for administering the road project, giving practically none of it or some of it for actual construction. He may employ 1 or 10,000 men in and out of Washington to do whatever he sees fit, these men with or without qualifications for any practical work. Further, he can deal with the State highway department almost as he sees fit.

While it is not expected that a Secretary would so abuse his privilege and the discretion conferred upon him, yet legislation should be framed so as to prevent such abuse instead of permitting it.

All the foregoing within the Secretary's discretion—discretion—that realm throughout which choice and will are unrestrained; where duty often waits upon ambition; when mild, unpenalized vice supplants virtue; where good may be but evil is liable to occur; where weakness waivers, strength sleeps, and where expedience outranks right. It is a domain always sought to be extended by its occupant and against which extension the greatest battles for human rights have been waged. Discretion is the realm of the monarch, it is an ever-decreasing field in a Republic. Constitutions and statutes are but means of contracting their limits. The more they are contracted the more of a Republic we have. Carranza, Huerta, and Villa would rule with discretion. Americans would prefer to see them restrained by constitutions.

What I have said about administrative discretion has no peculiar application to the present distinguished Secretary of Agriculture. It could have little application to him, as every man on this side is of the firm conviction, supported by the well-grounded fear of nearly everyone on the majority side, that before this bill can become operative his successor will be installed. But whether he be Democrat or Republican the discretion conferred is too great.

I was very much pleased with the gentleman from Georgia [Mr. TRIBLE] in his frank statement that we could have plenty of money to enter upon this road-building project, and for that reason I am in favor of it. I am in favor of helping the Democrats carry out at least this one lone and somewhat yielding plank of the Democratic platform known as the good-roads plank. From what the gentleman from Georgia said I notice that in 1884 they declared for a tariff for revenue only, and the same thing in 1892, and again the same thing in 1912; but I notice, further, that after four years from 1884 they were turned out of power, and four years after 1892 they were again turned out of power, and one year from now they will be turned out of power again.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. MANN. I give the gentleman one minute more.

The CHAIRMAN. The gentleman is recognized for one minute more.

Mr. SLOAN. Yes; I want to draw this conclusion, that three times in recent years the Democratic Party has come into power on its promises, and twice they have gone out on their performances; and the same thing will happen one year from now. [Applause on the Republican side.]

Mr. TOWNER. Mr. Chairman, I ask unanimous consent that this amendment be read in the connection in which it occurs.

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] asks unanimous consent to have read again the amendment offered. Without objection, the Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 2, line 7, after the word "sum," strike out the words "which he shall deem necessary" and insert the words "which shall be appropriated by Congress following estimates duly submitted by him," so that the lines as amended will read:

"SEC. 2. That out of any appropriation made under the provisions of this act the Secretary of Agriculture shall deduct the sum which shall be appropriated by Congress following estimates duly submitted by him to defray the expenses of his department in the administration of this act," etc.

Mr. SAUNDERS. According to the various prophecies made by the gentleman from Nebraska [Mr. SLOAN], if he is correct, if we leave the bill as it is, a Republican Secretary will have the opportunity to build up the dreadful political machine that he is talking about. So far as we are concerned, we are willing to take the chances with that, and to leave the bill as it is.

Mr. SLOAN. Will the gentleman yield?

Mr. SAUNDERS. I do not think the gentleman's amendment helps the bill at all, and I hope it will be voted down.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Debate has been limited by an agreement. Mr. MANN. There is an amendment pending, anyway.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question being taken, on a division (demanded by Mr. SAUNDERS) there were—ayes 40, noes 52.

Accordingly the amendment was rejected.

Mr. WALSH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 11, after the word "manner," strike out "\$65,000 to each State and"; in line 12 strike out the words "the remainder"; in lines 14 and 15, after the word "half," strike out the words "of such remainder."

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. WALSH. Mr. Chairman, this amendment seeks to put upon some equitable basis the distribution of this fund. During the debate upon this bill several gentlemen, notably the gentleman from Illinois [Mr. MADDEN], asked the reason why \$65,000 was given to each State of the Union; and I have not heard or read any reason offered in reply by the proponents of this legislation. They take \$65,000 and give it to each State, regardless of the needs, regardless of the population, regardless of the mileage of roads, and regardless of any other consideration. In the last Congress the only reason offered for awarding that amount to the States was so that their apportionment might come up to over \$100,000. I submit if that is the true reason, then the \$65,000 ought to be given only to the States which, under the other terms of the apportionment, would not receive \$100,000; but if the State of Nevada gets only \$36,000 without this \$65,000, that is no reason why the State of New York and the State of Massachusetts should also get \$65,000 each. There should be some just and equitable basis for apportioning every dollar of this sum that you are seeking to appropriate here for this purpose. I say it is rank injustice to fix an arbitrary amount of \$65,000 and seek to distribute that among 48 States of this Union without any consideration or without any basis upon which the apportionment of the balance of this fund is considered. So, sir, I say that if you are going to attempt to pass this legislation and enact it into law and justify yourselves by saying that every dollar of this \$25,000,000 is going to be equitably dispensed and apportioned, you ought to strike out this sum as fixed in section 2 and put the whole apportionment upon the same basis.

There is no more reason for taking \$65,000 than there is for taking \$200,000 or \$10,000, and I submit that it is fair to all the States to put them upon the same footing, and not seek to carry up the amount into six figures by an arbitrary apportionment and computation such as has been arrived at in this section. I say, put the States on an equal footing, and do not increase the share of Rhode Island by \$65,000 and also increase the share of Pennsylvania by \$65,000 simply in order that Rhode Island may get over \$100,000, because, if it were left as the amount ought to be left, Rhode Island would get \$60,000, and then she would get only what she is justly entitled to under the basis of apportionment that is fixed in this bill. If you are going to seek to split up this apportionment and take one part of the appropriation and set it aside and say, "As to this part we will distribute this as a gratuity, regardless of mileage of road, regardless of population, or regardless of anything else except giving them some money," I say, that is wrong. It is not the correct way under the principle laid down by this bill. I trust that this amendment will pass.

Mr. SAUNDERS. Mr. Chairman, this provision for the flat payment of \$65,000 to each of the States, was included in the bill that passed last year. It was thoroughly discussed, and the reasons, presented in its behalf, were satisfactory to the House at that time. Now, unless we include that provision for \$65,000 flat, to each State, then Nevada, Delaware, Arizona, Wyoming, Rhode Island and Utah would receive such comparatively insignificant sums under our proposed scheme of apportionment, that the amounts appropriated for their benefit respectively, would be too small to be economically overlooked by the Department of Agriculture. So we provided this flat sum of \$65,000 for each of the States, and then distributed the balance of the appropriation according to the plan reported in the bill. The payment of \$65,000 to each of the States has taken a negligible amount from the sums that would otherwise have been received by the larger States, but it has worked out a very equitable result. The scheme of the bill is as fair and just a

plan of division, in my judgment as could be devised and a far better one than the plan proposed by the gentleman from Massachusetts. Any plan submitted could be criticized from some point of view.

I yield to the gentleman from South Carolina [Mr. BYRNES] one minute.

Mr. BYRNES of South Carolina. Mr. Chairman, I can add nothing to the reasons stated by the gentleman from Virginia [Mr. SAUNDERS] except this, that the idea of the equitable distribution of this fund that the gentleman from Massachusetts [Mr. WALSH] urges in his minority report is that the basis should be that of the rural population of a State to the total rural population of the country. Under that basis the New England States would receive much less than they receive in this bill, for the rural population of New England is 2 per cent of the entire rural population of the country. Therefore, inasmuch as no Representative from Massachusetts desires to protest against the amendment of the gentleman from Massachusetts [Mr. WALSH], which would take from his State some of the funds allotted to it under this provision, on behalf of the State of Massachusetts I protest, and I urge the equitable distribution which is provided for in this bill.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The amendment was rejected.

Mr. MANN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Five and one-half minutes.

Mr. MANN. I move to strike out the last word, and I yield my time to the gentleman from South Dakota [Mr. JOHNSON].

[Mr. JOHNSON of South Dakota addressed the committee. See Appendix.]

Mr. TRIBBLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read section 3 of the bill, as follows:

SEC. 3. That as soon as may be after the passage of any act making appropriations under the provisions of this act the Secretary of Agriculture shall prepare and file in his office a statement showing the amount of such appropriation he has set apart to defray the expense of his department in the administration of this act and the amount of the balance which will be available for expenditure in each State and transmit a copy of such statement to the State highway department of each State which has such a department and to the governor of each State which has not such a department; that the State highway department of any State, after receiving such statement, may apply to the Secretary of Agriculture for aid under the provisions of this act in the construction or maintenance of any rural post road in such State; and if, in his judgment, such road is one to the proposed construction or maintenance of which aid should be given under the provisions of this act, then he shall request such State highway department to furnish him with surveys, plans, specifications, and estimates of cost of said proposed construction or maintenance and any other information which he may consider proper; that he shall examine said surveys, plans, specifications, and estimates of cost and determine what would be the reasonable cost of such construction or maintenance and what amount of aid will be given under the provisions of this act to such proposed construction or maintenance, which shall in no case be less than 30 nor more than 50 per cent of what he has so determined would be the reasonable cost of such proposed construction or maintenance, and shall forthwith transmit to said State highway department a written statement of his said determinations; that upon receipt of such written statement the said State highway department may transmit to the Secretary of Agriculture a statement in writing notifying him that such proposed construction or maintenance will be undertaken upon the terms proposed; that thereupon the proper authorities of the State may, in accordance with the laws of such State, commence and prosecute said construction or maintenance in substantial compliance with said surveys, plans, and specifications; that when the Secretary of Agriculture shall find that said construction or maintenance of said road has been finished in substantial compliance with said surveys, plans, and specifications he shall cause to be paid to the proper authority of said State whatever remains unpaid of the amount which he has stated, as hereinbefore provided, would be given to aid said State in said proposed construction or maintenance of said road; that the Secretary of Agriculture may, in his discretion, from time to time make payments upon such construction or maintenance as the same progresses, but these payments, including previous payments, if any, shall in no case be more than the pro rata part of the United States of the value of labor and materials which have been put into such construction or maintenance.

Mr. TOWNER. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the committee to the language on page 3, line 7, where it says—

may apply to the Secretary of Agriculture for aid, under the provisions of this act, in the construction or maintenance of any rural post road in such State.

It occurs to me that you have omitted the most important thing that you and all desire who favor the passage of this legislation. It is not only the construction, which means the original building of the road, and the maintenance and continuation of the road, but it is doubtless intended that most of the

money that is appropriated under the terms of this act, if it shall pass, ought to be, and will be, appropriated for the improvement of existing highways; and therefore it occurs to me that the word "improvement" ought to be inserted after the word "construction."

Mr. SAUNDERS. May I interrupt the gentleman?

Mr. TOWNER. Certainly.

Mr. SAUNDERS. I will say to the gentleman that, so far as the committee is concerned, we are willing that the word "improvement" should be inserted.

Mr. TOWNER. Then, Mr. Chairman, I want to call attention to another matter. Immediately following that, in the next sentence, it says—

and if, in his judgment, such road is one to the proposed construction or maintenance of which aid should be given under the provisions of this act, then he shall—

So-and-so.

I think I understand what was the purpose of that language, but I greatly fear that it will not carry out the purpose of it. As the language reads, in my judgment, it will leave entirely to the discretion of the Secretary of Agriculture whether or not he will grant to any form of road which he may favor or refuse to grant to any road that he does not favor, because the qualifying words, interpreted grammatically, might be held to apply only to the clause that immediately precedes it and refer to aid under the provisions of this act.

I take it that is not the intention of the committee or those friendly to this bill. I think it is the purpose of the committee and those who favor this legislation that if at any time it is shown that any road shall fairly come under the provisions of this act, then it shall be the duty of the Secretary of Agriculture to do what the provisions of this act provide. I suggest language something like this, that instead of this language they should say, "and if the Secretary of Agriculture shall find that such construction, improvement, or maintenance is fairly under the provisions of this act, then," and so forth.

Mr. BORLAND. Will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. BORLAND. How does the gentleman's language differ from that employed in the bill?

Mr. TOWNER. Very materially, because under the language that I propose the Secretary of Agriculture could determine whether or not it fairly came under the provisions of this act.

Mr. BORLAND. That is what must be determined under this act.

Mr. TOWNER. I think not; the language is very broad, which says, "if in his judgment said road is one where aid should be given."

Mr. BORLAND. Under the provisions of this act.

Mr. TOWNER. Certainly; but as I said before, that qualifying phrase, as the Secretary of Agriculture might interpret it, might be held to allow him to refuse aid to any form of road which he might not approve. It occurs to me that the language is indefinite. I think we want this appropriation to be made under the terms of this act and not leave it to the discretion of the Secretary of Agriculture whether or not he will approve of it.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 3, by striking out all after the word "construction," in line 7, down to and including the word "maintenance," in line 22, and insert in lieu thereof the following:

"Improvement or maintenance of any road in such State, and if such road shall come within the provisions of this act, then he shall request such State highway department to furnish him with surveys, plans, specifications, estimates of cost, and any other information he may consider proper. The determination of the proportion of aid to be given any project shall be left to the State highway department and shall accompany the application submitted on the part of the State. The Secretary of Agriculture shall examine said surveys, plans, specifications, and estimates of cost."

Mr. BYRNES of South Carolina. Mr. Chairman, the amendment I have sent to the desk is offered on behalf of the committee. The language of the bill as reported provided that whenever there was proposed to the Secretary of Agriculture any given project, and the Secretary approved the project, he should notify the State of the amount of aid that would be given, which in no case should be less than 30 per cent nor more than 50 per cent. During the general debate criticism of that language was made by the gentleman from Illinois [Mr. MADSEN], the gentleman from Michigan [Mr. KELLEY], and one or two others upon the ground that it would place too much power in the Secretary of Agriculture. The impression prevailed that it would enable him to refrain from giving to a State the quota to which it is entitled under the language of the bill.

In my remarks in general debate I endeavored to explain that the committee in including this language in the bill intended to meet this condition. For instance, take the State of New York, where construction work to the extent of \$14,000,000 was engaged in last year, according to statements made upon the floor. That State receives under this bill about \$1,000,000. The State of New York may prefer to have the aid to which it is entitled under this bill distributed on a great number of roads, receiving but 30 per cent, instead of having that aid given to a few roads and receiving 50 per cent, while in the States where there is no great road fund 50 per cent will be desired. In order to meet conditions prevailing in the wealthier States, we included that language. Under no circumstances could the Secretary of Agriculture have deprived any State of one dollar of the quota to which it is entitled under the bill. Nevertheless, after consideration, I was convinced that there was much merit in the criticism of gentlemen that too much power was placed in the Secretary of Agriculture under this language if, though he could not take from a State one dollar of its quota, he could, if he desired to establish a uniform type of road, require of the State of Wisconsin, say, that it should construct a road which met with his idea of what every road in the country should be, and if the State authorities did not propose such type of road he could give to that State aid only to the extent of 30 per cent, and by using that as a weapon force them to adopt a type of road which, while it might meet with his approval, would be entirely unfit for the uses of the people of the State of Wisconsin. Therefore the amendment provides that the determination of the amount of aid shall be left to the State, so that the State can do that which the committee intended it should be entitled to do under the language of the bill as reported.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. TOWNER. I want to say that not only does the gentleman's amendment do that, but it corrects both of the objections to which I referred.

Mr. BYRNES of South Carolina. In the construction of this language the suggestion of the gentleman from Iowa [Mr. TOWNER] was considered because it occurs in the same page and same line, and we believe there is merit in that suggestion, and that the word "improvement" should be inserted, because, it is difficult to tell what construction would be placed on the language as the bill was reported to the House, and as it was the intention of the committee to enable a State to participate where a road was to be rebuilt as well as where a new trail was to be blazed. We feel, therefore, that the word "improvement" ought to be included so that there can be no doubt as to the meaning of the language of the bill.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

Mr. BYRNES of South Carolina. I do not desire to have five minutes.

Mr. BORLAND. Two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I want to ask the gentleman whether it was his intention in this amendment to cut out all reference to the State paying 50 per cent of the cost of construction?

Mr. BYRNES of South Carolina. No.

Mr. BORLAND. Because that is what his amendment has done, and if his amendment does not intend that, it should be redrafted.

Mr. BYRNES of South Carolina. I will say that there was no such intention. The amendment was hurriedly written, and that was omitted, and I will ask to have that inserted.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GREEN of Iowa. If I correctly understood the amendment, it leaves out the words "rural post" before the word "roads" that is used now in the bill in line 7.

Mr. BYRNES of South Carolina. I do not think it makes any difference because the first section specifies the roads on which the aid could be given.

Mr. GREEN of Iowa. I thought it was done to make it conform to section 1 as amended.

Mr. BYRNES of South Carolina. I think it should.

Mr. SHACKLEFORD. I will say that that was the reason it was left out, that it might conform to section 1 as amended.

Mr. HAUGEN. Mr. Chairman, I desire to offer a substitute for the amendment.

The CHAIRMAN. The Clerk advises the Chair that the committee has offered a new amendment, or at least has changed the amendment. Does the gentleman desire to have that reported?

Mr. BORLAND. I think the committee asked leave to make their amendment conform to their original intent. They withdrew the amendment and offered it over again.

The CHAIRMAN. Does the committee desire to have it read again?

Mr. BORLAND. I think it ought to be reported again.

Mr. SHACKLEFORD. I will ask unanimous consent to have the amendment reported as it now reads.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Amend, on page 3, by striking out all after the word "construction," in line 7, down to and including the word "maintenance," in line 22, and insert in lieu thereof the following:

"Improvement or maintenance of any road in such State, and if such road shall come within the provisions of this act, then he shall request such State highway department to furnish him with surveys, plans, specifications, estimates or cost, and any other information he may consider proper. The determination of the proportion of aid to be given any project, not to exceed 50 per cent of the total cost, shall be left to the State highway department and shall accompany the application submitted on the part of the State. The Secretary of Agriculture shall examine said surveys, plans, specifications, and estimates of cost, and determine what would be the reasonable cost of such proposed improvement, construction, or maintenance."

Mr. HAUGEN. Mr. Chairman, may I have the substitute reported?

The CHAIRMAN. The gentleman from Iowa offers a substitute to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 8, after the word "State," strike out all of the remainder of the section and insert, in lieu thereof, the following:

"Provided, That no payment of the appropriations herein provided shall be made to any State until an equal sum has been appropriated for by the legislature of such State, or provided by State, county, local authority, or individual contributions from within the State for the construction and maintenance of the public road provided for in this act."

"That whenever any State has complied with the provisions of this act, the amount which has been apportioned to be expended in such State, which is hereby appropriated, shall be paid by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture out of the Treasury of the United States to the treasurer or other officers of the State duly authorized by the laws of the State to receive the same, and such officers shall be required to report to the Secretary of Agriculture a detailed statement of the amount so received and of disbursements on forms prescribed by the Secretary of Agriculture."

Mr. HAUGEN. Mr. Chairman, the amendment proposed by me is in line with previous legislation, and provides that States shall provide for an amount equal to the amount apportioned to the various States. It seems to me that it is safe and proper to leave the determination of the type of roads to be built to the people within the State. The people within the State have knowledge of the material available for the building of roads, the type of road required, and can better determine what type of road should be built than the Secretary of Agriculture. I simply offer it as being in line with legislation heretofore enacted, so that there may be no dispute of authority.

Mr. SAUNDERS. Will the gentleman yield?

Mr. HAUGEN. I do.

Mr. SAUNDERS. That is precisely what the bill and what the amendment offered on the part of the committee propose to do, to leave the original selection of the type of road to be constructed to the State authorities. The Federal Government can put a veto on it, and you can not avoid it.

Mr. HAUGEN. But under the provisions of this bill every construction must be approved by the Secretary of Agriculture.

Mr. SAUNDERS. Certainly.

Mr. HAUGEN. Now comes the question—

Mr. SAUNDERS. And you can not get over that.

Mr. HAUGEN. Here comes the question. The Secretary of Agriculture—the director of roads—may determine that in our country it would be for the best interest of all concerned to construct a concrete road at an expense of five or six thousand dollars a mile—

Mr. SAUNDERS. No.

Mr. HAUGEN. And the State authorities might contend, as they do at the present time, that a gravel and clay road is the most available and inexpensive road, and therefore the clay and gravel road is preferred. Until that question has been settled the appropriation is held up, and no road built. In order to expedite matters I suggest that there should be no conflict between the authorities of the State and the Federal Government. This amendment is to avoid that and to expedite road building.

Mr. SAUNDERS. Mr. Chairman, if the gentleman has finished I desire to speak briefly in reference to the question raised. I see perfectly well what is in the mind of the gentleman from Iowa, and I thoroughly agree with him. If there is any one thing we worked over in the sessions of our committee, it was the provisions designed to leave the determination of the types of road to be constructed, improved, or maintained to the determination of the authorities of the States concerned. We have specifically provided in our bill, and in the amendment that we have just offered, that the State shall bring a project of road construction, maintenance, or improvement in the first instance to the attention of the Department of Agriculture, thus primarily determining the type of road that it desires to have constructed, improved, or maintained. There is however ample power to reject any project placed in the hands of the Secretary. On the exercise of this power he may conceivably reject all the projects submitted, save those that relate to the construction of the highest types of hard roads. He can simply say, "No," to any project submitted to him, giving any ground of objection that may occur to him as a sufficient reason for this action. He may even withhold his approval without giving any reasons therefor. In other words the Secretary of Agriculture may abuse that very discretion that we have confided to him with a view to the protection of the interests of the Federal Government. This of course is a possibility.

Mr. HAUGEN. Will the gentleman yield?

Mr. SAUNDERS. But I have no apprehension in my mind that in the practical execution of this bill any Secretary of Agriculture will undertake to lay down the law to any State, and take the position that he will not approve any project submitted, unless it relates to the construction, or improvement of some type of road that he has prescribed. I am perfectly willing to take my chances in this respect, feeling assured that any Secretary of Agriculture that may be hereafter appointed will do his duty, and execute the law according to its spirit and plain intent. Should he fail to do so, he will hear from this body without regard to its political complexion.

Mr. HAUGEN. I suggest that the remedy is to turn the money over to the State when the State has appropriated an equal amount; that you turn the money over to that State and leave it to the discretion and judgment of the authorities of that State to suggest what type of road shall be built and where and when.

And when the States have completed an equal amount, as they do under the vocational educational act and various other acts passed by this Congress, then leave it to the determination of the State. We have many excellent men in the department in this country, and great men, but their enthusiasm is liable to carry them away. They have less knowledge of the material available for the building of roads and requirements of that country than the people in their own country.

Mr. SAUNDERS. I will say, Mr. Chairman, that the difficulty about that suggestion is that as soon as you change this bill to meet the gentleman's views, you will arouse antagonism in some other quarter. We have adequately guarded the expenditure of the Federal portion of the money that will be expended in aid of road construction, and maintenance. Having had that in view, and it was proper to have it in view, we have given certain discretionary powers to the Secretary of Agriculture. These powers may be abused. That is always possible when discretion is vested in an official, but I do not think that as a practical proposition there is any danger of the results of abuse, and malfeasance that seem to be apprehended by some of the opponents of this bill.

Mr. TOWNER. Is it not true that the discretion is limited now, because under the terms of the provision the only discretion that can be exercised by the Secretary of Agriculture is whether or not the proposed road comes under the terms of this act?

Mr. SAUNDERS. I have stated that. He can simply put a veto on any particular project. He can not say affirmatively to a State that they must build this type of road, or that type of road, but, by abusing his discretion, I admit he can put a veto on any meritorious project. But I am not afraid of this action, as a part of a scheme by the Secretary of Agriculture to coerce a State, or direct its activities in road work along some prescribed course. He may of course err in his judgment with respect to some particular project. That is always conceivable with respect to any functionary filling a post calling for the exercise of discretion.

Mr. ROGERS. Will the gentleman yield?

Mr. SAUNDERS. Yes; I yield.

Mr. ROGERS. As I understood the amendment, it reads in part as follows:

The proportion of aid to be given any project, not to exceed 50 per cent of the total cost, shall be left to the State highway department.

Mr. SAUNDERS. Yes.

Mr. ROGERS. Now, if the State highway department asks for 50 per cent from the Federal Government, as it would be apt to ask, and the Secretary thinks it is a proper project that 30 per cent of Federal aid be given, he has no course but to accept the 50 per cent that he does not believe in, or take the other?

Mr. SAUNDERS. That is true. The change in the bill as reported was made to meet the objection that the discretion originally lodged in the Secretary of Agriculture afforded him an opportunity to play politics with a State. Hence we have taken from him the power to determine whether aid to the extent of 30, or 40, or 45, or 50 per cent of the total cost shall be afforded. Under the amendment that power will be vested in the State making the application. This change will not add to or take from the amounts apportioned to the several States.

Mr. ROGERS. Does not the gentleman jump from the frying pan into the fire in doing that?

Mr. SAUNDERS. Not a bit.

Mr. SHACKLEFORD. I would like to ask unanimous consent, Mr. Chairman, that debate on this section and all amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Missouri [Mr. SHACKLEFORD] asks unanimous consent that all debate on this section and amendments thereto close in 30 minutes.

Mr. ROGERS. Reserving the right to object, I should like five minutes. Can that be arranged?

Mr. SHACKLEFORD. I think so.

Mr. BORLAND. I would like five minutes.

Mr. SHACKLEFORD. Is the gentleman from Wisconsin [Mr. BROWNE] present?

Mr. BROWNE of Wisconsin. I am.

Mr. SHACKLEFORD. I ask that the time be limited to 30 minutes, and that the gentleman from Wisconsin [Mr. BROWNE] control half of it and that I control the other half.

Mr. WALSH. I object.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

I regard this amendment, Mr. Chairman, as a very unfortunate amendment, and the substitute is a still more unfortunate proposition. I do not agree with the gentleman from Massachusetts that in most of the States the State will ask for 50 per cent on each proposition it submits to the Secretary of Agriculture. I do not think that can be the intention of the amendment. This bill contains not only the word "construction," but now, if the amendment of the gentleman from Iowa [Mr. TOWNER] is accepted the word "improvement" and also the word "maintenance" will be included. The evil of the old bill two years ago was that the money under it could all be spent for the temporary upkeep of unimproved roads, where the money would disappear before the next spring mud had cleared away. Under this bill, if it is amended by either of these propositions, the same thing is true.

If the Secretary of Agriculture has no discretion as to how the Federal money is to be spent, but must approve a proposition put up to him by the State authorities if the road comes within the purview of the roads mentioned by the bill, then it would be possible for the State authorities, under political pressure in their own States, to divide out the money into infinitesimal amounts to each particular road district in the State, and if there were 3,000 to 5,000 road districts in the State, as there are in some States, they would have to satisfy the demands of each one of those road districts. The result would be that you would have no money for real road improvement. You would have a little money before the primary in August to put from 20 to 50 men to work, but you would have no money for road improvement that would last until the December snow.

Mr. HAUGEN. Does the gentleman think that we should leave it to the legislature of the State?

Mr. BORLAND. I think to leave it to the legislature of the State to appropriate 50 per cent would be a better proposition. I think in the original proposition that the Federal Government should contribute not more than 50 per cent or less than 30 per cent, that the "less than 30 per cent" was, in my judgment, as important as "not more than 50 per cent," because that made certain that 30 per cent of work done on certain roads in the State would be under Federal supervision. The 30 per cent provision is so material a contribution to the road that it will guarantee a certain amount of definite improvement on that road. But if the contribution were reduced to 1 per cent or one-half of 1 per

cent, it would be utterly impossible for the Federal money to be safeguarded.

Now, this wording still leaves in the words that "the Secretary shall demand such other information as he sees proper." But, if his hands are to be tied, I do not know what other information about these roads he could deem as proper to demand. I think he should have the right to demand other information, if he sees proper, to wit, the number of improved roads in the State, whether the State has any means of maintaining roads after they are constructed, and whether the taxing power is sufficient for that particular purpose. But if you are going to tie the hands of the Secretary and say that he must approve a proposition put up to him by the State authorities, you are going to have him in some States, I fear, not approve propositions for roads, but approve propositions for the temporary maintenance of unimproved roads.

There will be the pressure within the States, and naturally so, to divide the money equally between all the road districts, and that will give no road district enough to improve any road. Now, the Federal Government is not entering into any such proposition. To enter into such a proposition would be perfectly hopeless, and if we ever did enter into it there is not a man on this floor who would escape the constant effort to have that little dribble increased in favor of the local district. There was not a greater evil in the old bill, which was defeated two years ago, than that very proposition that all the Federal money could be and would, so far as we could see, be wasted in the temporary upkeep of roads.

If this money is going into roads, I am for it. If it is going into politics I am against it. I believe the farmers and the business men of this country would be against it in the latter event. They want roads and not politics, and they demand that there shall be legislation for the benefit of roads and not politics.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BARNHART. Mr. Chairman, I move to strike out a sufficient number of words to enable me to say something. [Laughter.]

The CHAIRMAN. The gentleman from Indiana [Mr. BARNHART] is recognized.

Mr. BARNHART. Mr. Chairman, there seems to be a wide difference of opinion on this amendment and on the bill as to how far the authority of the States and of the Department of Agriculture should extend in the control, building, and maintenance of the roads to be aided by this legislation.

Indiana, I believe, according to the records, has more miles of good roads according to its area and its road mileage than any other State in the Union. We have built these roads at a very large expense to the taxpayers of the State. In a great many instances they have been built under the supervision and direction of overseers, who were novices at the business, and the precaution in the amendment and in the bill that provides that the Secretary of Agriculture must approve the plans and specifications is one of the valuable features of the bill, for the reason that some States, through political favoritism and otherwise, might select civil engineers for road work who would make plans that were faulty and to which no practical builder would give his approval.

Another matter, Mr. Chairman, and that is in the maintenance of these roads. It is not true that a road that is built under the specifications of a civil engineer necessarily wears out less rapidly than one that has been made by some competent country road supervisor. There is not anything in that argument, and gentlemen who have to do with country roads will agree with me on that proposition. Therefore, the purpose of the bill, to delegate to the Secretary of Agriculture the final word on the plans and specifications, is the one important feature of the bill and the one strongly favored by the people throughout the country who have been paying for the improvement of roads all these years, and many times spending money for improvements that are worth practically nothing. They are in favor of having some competent executive head pass upon all the plans and specifications for these roads and approve them before the people are asked to put up the money for their construction.

Therefore I feel, Mr. Chairman, that the argument of the gentleman from Missouri [Mr. BORLAND] is not only far fetched but irrelevant to the subject in hand; and while the committee has sought from every possible standpoint to protect this bill against the possibility of the expenditure of money by novices, or spending money upon roads that it would be impracticable to try to improve, it seems to me that we have fixed the authority in this bill exactly where it belongs. And moreover, if the Secretary of Agriculture—

Mr. BORLAND. The gentleman misunderstands me. I am arguing for exactly and precisely the same thing that he is. I am

arguing for this control by the Secretary of Agriculture over the plans and specifications.

Mr. BARNHART. Yes; but I disagree with the gentleman as to the Secretary of Agriculture having jurisdiction as to what roads are to be improved. I insist that he should have supervisory control over the plans and specifications, but that the State, or the local road officials, should have the initiative in the matter, and the say-so, so to speak, as to what roads should or should not be improved with the approval of the Secretary of Agriculture.

Mr. BORLAND. Then the gentleman is opposed to the amendment.

Mr. BARNHART. No. I am in favor of the amendment.

In this connection, Mr. Chairman, I want to give a few observations on the merits of this bill which I, as a member of the Committee on Roads, helped to formulate and report for passage. The theory of this legislation is that it will help every section of the United States that will help itself in road improvement. For instance, any community that levies a road tax for the construction and maintenance of roads will receive from the Government 30 to 50 per cent of the cost of good roads and their upkeep if it will build them according to specifications that will make an efficient and durable road.

In the Indiana county in which I live the country at large would help to pay our road taxes and in fairness it ought to do so for two reasons. First, it would necessitate the building of all roads according to plans approved by Government experts; and second, the city automobilists who pay no road taxes wear out more roads with their big, high-powered automobiles than those who are now building and keeping up the roads. The public highway is the means of bringing the farmer close to the market and taking the market close to the farmer. If the roads are good the cost of transporting products is reduced to the minimum, and the farmer gains thereby, and he can also afford to sell his products cheaper to the consumer, because his marketing expense is reduced.

Mr. Chairman, I really have little to add to what I said in a speech on a similar bill in a former session of Congress; but I must call attention to the fact that if this demand for larger military preparedness is to be granted, good roads, over which military equipment could be rapidly and economically transported, are of first importance. And of all the preparedness we may provide, the money spent in improving roads is probably the only investment that will prove helpful in both war and peace. If we build these good roads, they will be useful if war should come, and if not—which God grant may be the outcome—the people can use the good roads profitably in peaceful pursuit of both business and pleasure. It is a good bill; it gives the rural taxpayer millions some direct returns for the taxes they pay instead of giving it all to rivers and harbors and to big cities, as has heretofore been done, and I earnestly hope it will become a law. It is high time the farmers and the dwellers in small cities and towns shall have some of the direct benefits of the Government taxes they pay.

Mr. RICKETTS. Mr. Chairman, I move to strike out the last word. I desire to be recognized.

The CHAIRMAN. The Chair can not recognize the gentleman at this time.

Mr. ROGERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. Is it in order to propose an amendment to the committee amendment at this point?

The CHAIRMAN. It is.

Mr. SHACKLEFORD. Mr. Chairman, there is a substitute pending, I believe.

The CHAIRMAN. One is a substitute for the entire amendment.

Mr. ROGERS. The amendment that I desire to propose, Mr. Chairman, is to strike out the word "fifty," where it appears in the committee amendment, and substitute therefor the word "twenty-five."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the committee amendment by striking out the word "fifty," and inserting in lieu thereof the word "twenty-five," so that the lines will read, when amended: "The determination of the proportion of aid to be given any project not to exceed 25 per cent of the total cost shall be left to the State," etc.

Mr. ROGERS. Mr. Chairman, I assume that the purpose of a bill of this sort, as proposed in a Federal enactment, must be to stimulate the building of roads by the several States. I think that if it does not have that purpose, and in so far as it falls short of that purpose, it is not a proper subject of Federal supervision and legislation.

As drafted by the committee, this amendment would require the expenditure by the States, taken altogether, of the same \$25,000,000 as is authorized to be expended each year by the Federal Government. That is, the States together would put in each year \$25,000,000 just to match the \$25,000,000 that was put in by the Federal Government.

Now, this is, as I say, a question of stimulation, a question of stimulating the activity of the several States to build roads. If the proportion of Federal aid were 25 per cent instead of 50 per cent, I think no one would dispute that the States would equally take the steps which would be necessary in order to get their quota of the \$25,000,000 fund; and, of course, the result of changing the percentage would be that the States, taken together, would be obliged to put in \$50,000,000 instead of \$25,000,000. In other words, all the States would take the steps to get their respective allotments, and in order to do that they would have to put in twice as much on their own account to build State roads.

In other words, we would be getting an assurance of \$75,000,000 a year on this project, of which the Federal Government would put in one-third, instead of the assurance of spending but \$50,000,000, of which the Federal Government would be putting in one-half. It seems to me that there can be no objection to this proposal. It simply carries out the self-help idea and makes it stronger, and makes it certain that there will be more roads constructed throughout the Union as the result of the passage of this act. I think that it was a mistake for the committee not to leave some discretion in the hands of the Secretary of Agriculture, and that there might well be cases where the Secretary would say that there should be 40 per cent of Federal aid put in upon a certain project, but not 50 per cent. Yet under this plan the State itself must prescribe the amount which shall be expended, and the Secretary of Agriculture has no discretion whatever. He can simply say "Yes" or "No." I think that, in spite of what the gentleman from Missouri [Mr. SHACKLEFORD] says, the State will in every case ask for the entire 50 per cent. That is the maximum allowed by the bill, and I can not imagine that a State will ever seek to get less than the maximum amount it is permitted to obtain.

Therefore, Mr. Chairman, it seems to me that the whole committee amendment on this point is ill advised, and if it is to be adopted we ought to change the maximum from 50 per cent to 25 per cent.

Mr. BROWNE of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Wisconsin.

Mr. BROWNE of Wisconsin. I should like to ask the gentleman, if we accept his amendment, will he vote for the bill?

Mr. ROGERS. I will vote against the bill with less enthusiasm if you accept my amendment.

Mr. RICKETTS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Ohio [Mr. RICKETTS] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. SHACKLEFORD. Mr. Chairman, I again renew my request that we may have some agreement as to the length of time that the debate shall continue on this section.

Mr. MANN. We would like 15 minutes on this side.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that debate on this section and amendments thereto close in 25 minutes—15 minutes to be controlled by the gentleman from Illinois [Mr. MANN] and 10 minutes by myself.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate on this section and amendments thereto close in 25 minutes—15 minutes to be controlled by the gentleman from Illinois [Mr. MANN] and 10 minutes by himself. Is there objection?

There was no objection.

Mr. SHACKLEFORD. Will the gentleman from Illinois use some of his time?

Mr. ELSTON. Mr. Chairman, I ask the Clerk to read an amendment which I send to the desk.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

Mr. WOOD of Indiana. Mr. Chairman, a point of order. As I understand it, the gentleman from Massachusetts [Mr. ROGERS] has an amendment to the amendment which has not been disposed of.

The CHAIRMAN. The point of order is well taken. The question is on the amendment offered by the gentleman from Massachusetts [Mr. ROGERS] to the committee amendment.

The question being taken, the amendment was rejected.

Mr. ELSTON. Now, Mr. Chairman, I offer my amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California [Mr. ELSTON].

The Clerk read as follows:

Amendment offered by Mr. ELSTON: At the end of the section insert the following:

"The apportionment to each State as herein determined shall be available to such State under the provisions hereof for a period of five years after such apportionment is made."

Mr. MANN. I yield to the gentleman from California [Mr. ELSTON] five minutes.

Mr. ELSTON. Mr. Chairman, this amendment is in line with the observations which I made upon the bill the other day. In the State of California we have, in a way, temporarily exhausted ourselves by appropriations for good roads. We have spent \$18,000,000 on the part of the State in building trunk-line roads within the last few years. The counties have contributed almost a like amount, and I should say offhand that we have recently spent, altogether, nearly \$50,000,000. Now our plan is a contributory plan, something like the provisions of this bill, and I believe that most of the counties in our State would like to lie fallow for a while. I think they have stripped themselves of money available for these purposes for some time to come.

Another consideration that I wish to bring before the House is this: I see nothing in this bill providing for legislation within the State for the distribution of this bounty that comes from the Federal Treasury. For instance, we have a highway commission which was organized with the idea of spending State moneys only. If this bounty comes into our State, I venture to say that there is no provision at all on our books for the equitable distribution of this money to the various political units of the State or for its application to our State system. If our highway commission is notified that there is subject to its order something like \$600,000 or \$700,000, it will have no authority to proceed with its distribution. As we all know, executive officers have little discretion. Our commission might be blocked until legislation is passed that would permit equitable distribution of this bounty coming from the Federal Government. I imagine many other States would be in a like situation. Now, if such legislation is not passed in the State to meet the provisions of this bill, the State highway commissioner, or other officer in the State who receives this bounty or who is to dispense it, might distribute it by favoritism or preference. I can not conceive of any equitable or legal way to distribute it unless the States themselves legislate upon the subject. That may take several years. It may take several years for my State to put itself in a position where it can take advantage of this act. At this time we might be able to take advantage of this subsidy only by making a plea for maintenance. To make that plea we would have to stretch matters somewhat, because we might have to say to the Federal Government that we needed \$600,000 or \$700,000 a year for the purposes of maintenance, and we can not tell exactly what the construction of the Secretary of Agriculture will be as to the scope of the word "maintenance." He might say that our particular requirements in the way of maintenance do not mean maintenance according to his construction of the act. I imagine that it may take some time to prepare ourselves to receive the benefits of this bill. I believe five years' time is none too long for the money to lie in the Treasury to the credit of the State. Otherwise a State might lose its apportionment by lapse into the Treasury at the end of the biennial period.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I am in favor of good roads. Having been born and reared upon a farm, in Warren County, Mo., I am, in my judgment, the better able to realize their necessity. The farmers of our country are important factors in our development and material progress. That which is for the benefit of the farmers must also be for the best interest of the merchants and people who live in the towns and cities. I represent a district in the great and splendid city of St. Louis, and I am sure I voice the best sentiments of that people in giving my support to any feasible scheme that will enable the United States Government to assist the State governments to establish better highways. The people of my district pay as great a proportion of taxes to the United States Government as perhaps 10 other districts in Missouri, outside of St. Louis and Kansas City. Yet we are willing to aid the farmers to the end that every possible facility be given to the establishing of good

roads in order that the commerce of the country may be marketed as easily and as cheaply as possible. Yet, Mr. Chairman, I am not in favor of this Federal aid becoming a political asset, to be used by whichever party may be in power in the various States, as I fear would be the case should this amendment be agreed to. The United States Government should have the supervisory control and the authority to see that the money thus expended is for the benefit of the people generally, and to the end that some splendid roads and highways may result therefrom.

I have not much confidence in any legislation that the Democratic Party is able to enact. Since they have been in power, practically all the laws they have caused to be written in the statute books are injurious to the farmers and the people generally. But the farmers of this country are fast coming to realize and to know that their prosperity of the past and of the future has and must come from the wholesome laws of the Republican Party. This is also especially true as to good roads, for that will only be realized under the next Republican administration. Even should this bill pass, which I do not think there is any intention that it shall, there would be no money to carry out its provisions. To prove this, we have only to refer to the President's message delivered to this Congress on the 7th of December last. In that message, he said:

Assuming that the taxes imposed by the emergency revenue act and the present duty on sugar are to be discontinued, the deficit in the general fund of the Treasury on the 30th of June, 1917, will be \$235,000,000.

While the "war tax" or emergency revenue act, as the President calls it, was reenacted by Congress, since the President delivered his message, and while it is also evident that the "free sugar" act will be repealed, there will still be an enormous deficit in the Treasury. The President is now asking for millions for preparedness, and so forth, and therefore we all know that there will never be any appropriation made during this administration for good roads. This bill, therefore, is apparently only to try and jolly the farmers along until after the next election. "It is molasses to catch flies." The principal purpose of the Democratic Party is to stay in office, and to do this they are willing to go the limit to deceive the farmers and the people. This Democratic administration is even trying to convince the farmers that their prosperity now is due to laws enacted by them. The farmers well know, however, that their present prosperity is due to the war in Europe. For instance, they know that the sale of wheat to Europe during the first year that the Underwood tariff law was in force amounted to only \$103,595,000, while during the first year of the war this increased to the sum of \$316,262,000. This is due to the large armies in Europe that had to be fed. This is also a fact with reference to other things that the farmers sell. During the same period the sale of breadstuffs increased from \$181,484,000 to \$567,607,000; hay, from \$790,000 to \$2,263,000; meats and dairy products, from \$138,736,000 to \$243,098,000; sugar, from \$4,341,000 to \$36,816,000. Mules, which are raised by our Missouri farmers in abundance, increased from \$622,000 to \$18,041,000, and horses from \$3,177,000 to \$82,276,000.

The farmers are prosperous for the reason stated, as well as for the reason that our many factories and mills are in full blast now manufacturing products for the armies in Europe, and which gives to American labor employment, thus enabling them to buy foodstuffs in abundance from the farmers. For instance, we see from the statistics that during the year that the Democratic tariff law was in force prior to the war that we only sold to Europe wool goods to the value of \$4,753,000, while during the first year of the war the sale of these goods increased to the extent of \$32,037,000; during the same period we saw the sale of men's shoes for our European trade increase from \$9,603,000 to \$22,669,000; other goods manufactured from leather increased during this period from \$43,390,000 to \$90,804,000.

I know these facts not only from the statistics but because there are more shoes manufactured in my district than there is in any other in the United States. My district also manufactures much harness and saddlery that has been and is going to Europe. During the first year under the Democratic tariff law this country sold to Europe \$793,000 worth of harness and saddlery, yet during the first year of the war we sold \$18,434,000 worth. Missouri is a great zinc-producing State, but the Underwood tariff law would have ruined it entirely had not the war in Europe come along. Zinc is used in the making of shells, and so we increased our sales to Europe from \$785,000 worth in the year before the war to \$26,323,000 worth during the first year of the war. This is also true of lead, brass, steel, and other things that go to make shells and munitions of war. Our gain during this period for steel amounted to 186 per cent, firearms 265 per cent, wire 153 per cent, explosives 1,050 per

cent, tools 175 per cent, medical appliances 231 per cent. Taking the same period we find that, in the first instance, our railroads were idle, cars were standing still, and railway business in bad condition; yet now these cars are all being used carrying provisions and munitions of war to the ocean to be sent to Europe. The shipyards are busy building ships for Europe; the automobile manufacturing industry is greatly increasing. We sold automobiles to Europe during the first year of the war worth \$92,000,000—170 per cent gain over the year preceding that.

The farmers of our country are intelligent, and they have passed that stage when the Democratic Party can longer deceive and fool them. They know that protection to their industries is necessary, and that had not the war of Europe come they would be in the same condition to-day that they were in during the administration of Cleveland. Free cattle from Canada, Argentine Republic, and South America would have ruined that industry had not these countries found markets for their products over in Europe. The farmers of the country will take the first opportunity to restore the protective tariff. Otherwise they will suffer terribly when the war in Europe closes and these millions of men return to civil pursuits, and thereby compete with the people of this country in the products of the American farm, mill, and mine. Our first duty, therefore, is to drive from power the present administration, and then to encourage prosperity at home as a permanent thing. The protective tariff is absolutely necessary to do this. It raises the revenue to run the Government and is practically paid by the foreign manufacturers. It also protects our labor against the cheaper labor of those countries. It also protects us against child labor.

The Democratic administration realizes now that its Underwood tariff law has been a failure, and that the free-trade and revenue-tariff law such as they enacted will not suit the needs of the people of this country. We see the President of the United States now advocating a tariff board. He has already declared in favor of the protective tariff on sugar. Both of these things he declared against during his campaign for the Presidency. In fact, the Baltimore platform has been repudiated so many times by the President that I doubt if any of its framers would now recognize it. First, we find that he gave special indorsement to that provision of the platform which allowed free passage to American coastwise ships through the Panama Canal.

When he had become the President he asked for and secured the repeal of that law. He has never told us why he changed his mind upon that. Some years ago the President regarded Mr. William Jennings Bryan with disfavor and wanted to destroy his influence with the party, yet as the Baltimore convention came on Mr. Wilson sought Mr. Bryan's support and acclaimed him a great Democrat, and Mr. Bryan supported Mr. Wilson at Baltimore, and Mr. Wilson appointed Mr. Bryan Secretary of State. Now we find the President in favor of preparedness, yet only a short time ago he was against that. Not over a year ago he was against a tariff commission, yet now he has come out publicly in favor of that. We do not know what he will do next. He has almost indorsed the Republican position upon the tariff, and probably before election time he will be a higher protectionist than any Republican ever was. Yet, Mr. Chairman, will the farmers of this country follow the President in his many changes? Will they not say at the next election that they would rather support the party that has fixed principles and maintains them year in and year out? The Republicans have been in favor of a tariff board for a long time. They had one established during the administration of President Taft, but it was abolished by the Democrats as useless. The position of the Republican Party on this question was clearly stated by President Taft in his letter of acceptance of the Republican nomination in 1912, when he said:

The American people may rest assured that should the Republican Party be restored to power in all legislative branches all the schedules in the present tariff of which complaint is made will be subjected to investigation and report by a competent and impartial tariff board and to the reduction or change which may be necessary to square the rates with the facts.

It is only necessary to refer to the CONGRESSIONAL RECORD of past Congresses to find that the leaders of the Democratic Party have year in and year out declared that it was unconstitutional to collect tariff duties except for revenue. They called the protective tariff "tariff robbery." The platforms of the Republican Party have for years declared for protective tariff and for a tariff commission. The last declaration of my party upon this question was as follows:

The pronounced feature of modern industrial life is its enormous diversification. To apply tariff rates justly to these changing conditions requires closer study and more scientific methods than ever before. The Republican Party has shown by its creation of a tariff board its recognition of this situation and its determination to be equal to it.

We condemn the Democratic Party for its failure either to provide funds for the continuance of this board or to make some other provision for securing the information requisite for intelligent tariff legislation. We protest against the Democratic method of legislating on these vitally important subjects without careful investigation.

How fast the President is coming to the Republican position upon a tariff commission is evidenced by the fact that the position of the President is practically the same as that contained in the bill H. R. 154, introduced on the 6th of last December by Congressman NICHOLAS LONGWORTH, of Ohio. Section 3 of Mr. LONGWORTH'S bill is as follows:

That it shall be the duty of said commission to investigate the cost of production of all articles which by any act of Congress now in force or hereafter enacted are made the subject of tariff legislation, with special reference to the prices paid domestic and foreign labor and the prices paid for raw materials, whether domestic or imported, entering into manufactured articles, producers' prices and retail prices of commodities, whether domestic or imported, the condition of domestic and foreign markets affecting the American products, including detailed information with respect thereto, together with all other facts which may be necessary or convenient in fixing import duties or in aiding the President and other officers of the Government in the administration of the customs laws, and said commission shall also make investigation of any such subject whenever directed by either House of Congress.

The thing that the farmers of the country want above everything else is good markets for their products. The protective tariff gives that to them. Mills, factories, mines, and everything are prosperous when that law is in operation. It has been so in the past, and it will be so in the next administration. We want a just tariff. We want a tariff that will equal the difference between cost of production at home and abroad. This principle takes into consideration cheap foreign labor, child labor, convict labor, and so forth. The important question is to establish that principle in law and to keep in there. Then we should have a tariff commission, as suggested by Republicans many times, and which we had in the last administration, but which was abolished by the Democrats.

This tariff commission should be charged with the duty of getting data that can be secured bearing upon the subject of tariff, and analyze, classify, and arrange the same so that it will be readily available for the use of the Congress, which, under the Constitution, is the only body authorized to fix the tariff. It should be a nonpartisan commission, and not such a commission as would be appointed by President Wilson should he have the power. Every commission that he has appointed, including the Federal Reserve Board, has been strictly partisan. The mind of the President does not contemplate the finding of efficient and patriotic men to gather this information except within his own party. For that reason a tariff commission appointed by the President would not be of any benefit. The present administration has failed utterly, even after it has shifted its position numerous times, and the people of this country who believe in protection are only waiting for the opportunity to correct the mistake which they made at the last election, when by dividing they allowed a minority party to come into power. All responsible for that are truly sorry, and they will make good their mistake in a patriotic way by giving their votes in the next election for the Republican candidates for President and Vice President. And, Mr. Chairman, the intelligent farmers of Missouri and of the Nation will do their part to bring this happy result about.

Therefore, Mr. Chairman, for this reason, among many other good ones, I am pleased to vote for this bill for good roads in order to show my appreciation of the sturdy men and women of the farms—they who have done so much for our great Republic. My vote for this bill will not bring us good roads, as I have stated above, because we have no money in the Treasury; but it is a declaration that the Congress of the United States favors helping the farmers to market their products and to give them good roads for that purpose. But we will have to wait till the Republicans come into power and restore business and replenish the depleted Treasury before we can actually do anything along the lines indicated in this bill. But we have to start it going, and if only to establish the principle involved in the bill I hope, Mr. Chairman, that in its best possible shape it will become a law. [Applause.]

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 4, line 7, strike out all after the semicolon and insert the following: "That the proper authorities of the State shall be required to report to the Secretary of Agriculture on or before the 1st day of December of each year a detailed statement of the amount of money received under this act during the previous fiscal year and of its disbursement on forms prescribed by the Secretary of Agriculture; that if any portion of the moneys received by the designated authorities of a State under this act shall by any action or contingency be diminished or lost or be misapplied it shall be replaced by said State, and until so replaced no subsequent appropriation shall be apportioned to said State; that if the Secretary of Agriculture shall withhold from a State the whole or any part of an allotment of money under this act the facts and reasons therefor shall be reported to the President and the amount

involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of the State from which allotment of money has been withheld, in order that the State may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such money to be paid it shall be covered into the Treasury."

Mr. MANN. I yield to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN. Mr. Chairman, as I have said before during consideration of this bill, I approve its purpose to provide money from the Federal Treasury to assist States in construction and maintenance of their highways; but the bill is faulty in some respects, and its operation will be cumbersome and expensive if enacted in its present form. My amendment is offered with the idea of lessening the expense of administration and to make the law more satisfactory to the States. The amendment follows as nearly as may be the provisions of the Lever agricultural-extension law, approved May 8, 1914, under which each State receives an allotment of money each year for agricultural-extension work, to be carried on by the agricultural colleges in cooperation with the Department of Agriculture. If the amendment is adopted it will not be necessary for the Secretary of Agriculture, before paying money to a State, to examine all work which has been done on all highways by employing a vast number of inspectors or clerks in the department. It would seem to me that if we are going to avoid danger of using too much of the money to be provided by this road bill for administration, if we are going to prevent or limit as far as possible the employment of inspectors to run over the States to look over the road work that has been done, causing all kinds of trouble, distrustful of the States, we should adopt this amendment. Many gentlemen of the House would, I think, be surprised if they knew how much of an appropriation made by Congress and intended for practical work is used by the departments in "administration." I recall that only a few years ago the Secretary of Agriculture and other officials of that department told the Committee on Agriculture of the wonderful things they had accomplished, of the results of their investigations and experiments and analyses, and of the great benefit they would be able to confer upon the business of agriculture of the country—that agriculture could be revolutionized—if they had opportunity of taking the results of their work directly to the farmers of the country in such form or in such a way as to make them easily understood and readily available. We said, "Then, all you need is money for practical work?" They replied, "Yes"; and on the recommendation of the committee large appropriations were authorized for practical work, and it was not at all satisfactory to us to learn later that the department was devoting a large portion of the appropriation and had arranged to use large portions for salaries of clerks and other employees in the department; that is, in administration.

But I should like to speak of the bill as a whole and of its purpose to provide Federal aid to the States in the construction and maintenance of highways. I shall, if I have time, refer again to my amendment, which is offered for the purpose of making the machinery of this bill correspond to that of the Lever law, by which the Department of Agriculture is operating smoothly and satisfactorily with agricultural colleges.

This bill, in its main features, has my hearty support. It does not meet my views entirely, but it is certainly a step in the right direction; it is a proper, although tardy, response on the part of the Congress to an insistent demand of the country. The amount of money which may annually be appropriated if this bill becomes law, is small, but later, when ineffective and oppressive revenue laws shall be repealed and a system of wise laws which always provide revenue sufficient for every proper activity of government are enacted, this law can be and will be amended and more money will be appropriated.

What are the important provisions of this bill? It authorizes an annual appropriation of not more than \$25,000,000 to be used and disbursed under the direction of the Secretary of Agriculture, as follows: The Secretary shall deduct the sum which he shall deem necessary to defray the expenses of his department in the administration of the act and apportion the balance among the States in the following manner: Sixty-five thousand dollars shall be paid to each State and one-half of the remainder in the ratio which the population of each State bears to the population of all the States as shown by the latest Federal census, and the other half of such remainder in the ratio which the mileage of rural free delivery and star mail routes in such States bears to the mileage of rural free delivery and star mail routes of all the States; the State highway department of any State may apply to the Secretary of Agriculture for aid under this act in the construction and maintenance of rural post roads, and the highway department shall furnish the Secretary with

surveys, plans, specifications, and estimates of cost of the proposed construction or maintenance and any other information which he may consider proper; after examination and approval of such surveys, plans, specifications, and estimates of cost, the Secretary shall determine the amount of aid to be given, which, in no case, shall be less than 30 nor more than 50 per cent of the reasonable cost of such improvement; when such work of construction or maintenance shall have been completed, the Secretary of Agriculture shall determine whether or not the work has been done and finished in substantial compliance with the surveys, plans, and specifications which were submitted by the authorities of the State, and upon favorable determination of that matter, he shall cause to be paid to the proper authority of said State whatever remains unpaid of the amount allotted to the State under this act; the Secretary of Agriculture may make or cause to be made such inspection and examination of any road constructed or maintained under this act as he shall deem necessary, and, for that purpose, shall have power to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase such materials and supplies, and to prescribe such rules and regulations for the administration of this act as he may consider expedient; all payments of money from appropriations of this act shall be made by the Treasurer of the United States upon warrants drawn by the Secretary of Agriculture.

The work of the committee in preparing this bill, or the result it has tried to reach, meets my hearty approval because it recommends Federal aid in construction and maintenance of the common highways of the country, and not construction of a few expensive trunk lines between large cities or over or through a portion of country to be reached or traversed solely or principally by sight-seers or pleasure seekers. The intent and plain purpose of this bill is to provide appropriations for construction of roads from farming sections to railroad stations and market towns for practical, everyday, necessary use of the people in carrying on their business, and not for construction of roads for joy riding or for use of automobiles alone. Money available under this law will very likely for some years be used in building and maintaining highways over which rural mail is carried, roads in which the Federal Government, in conducting its post-office business, is directly interested. Improvement of post roads is, perhaps, the first duty of the Federal Government, and for some time this use of money will confer as much benefit and offer as much assistance and encouragement to the States as can reasonably be expected. And, besides, I believe that roads over which rural mail is carried are now the main roads or the principally traveled roads in almost every rural community. But as time goes on, as the wisdom of this law is proven by experience, and as larger sums of money are available the work can and will be extended to assisting the States in construction and maintenance of other roads. There is practically no limit to the need of good roads or to the benefit that will accrue from their construction. I am so much pleased with the evident willingness of Congress to admit its duty to the people and to see the work begun on a limited scale that I am not disposed at this time to criticize the plan proposed by this bill on the ground that it does not go far enough. It will prove the value of the policy and the good work will be properly extended.

Some gentlemen who have spoken in opposition to this bill evidently do not appreciate the need and the benefit of good roads; they seem not to know that a system of roads, properly constructed and maintained, is necessary to the improvement and development of every part of the country. Other gentlemen, while admitting the necessity and benefit of good roads, insist that the advantage is entirely local; that it is the duty of the people of portions of the country in which the advantage is to be enjoyed to bear all expense themselves; and that the purpose and effect of this bill will be to impose local duties and local burdens upon the Federal Government.

I hardly know what to say to these gentlemen, or, rather, hardly know how or where to begin to offer facts and arguments to convince them of their error. My time is limited, and, besides, the converse of the position taken by these gentlemen is so clear to me as the proper view to be taken that it ought not to be necessary to spend time and effort to disprove their statements. It is doubtful if there is any public improvement more necessary than the building of country highways, or any expenditure of public money (from whatever source it may come) that will result in greater development or conduce more to the general welfare of the country than in the construction and maintenance of our country roads. Good roads running between railroad stations and the farms, and leading from the farms to the market places, are absolutely necessary alike to the proper and profitable business of railroads and market towns and to the business of the farms. Construction of railroads

and their proper management provide some of the facilities and solve some of the problems of transportation, but these problems will not be solved, in fact will not approach solution, until the people of the country, assisted as they must be by Federal legislation, are able to construct and maintain systems of highways connecting stations with farming sections of the country and with places not reached by railroads. Many of the railroads of the country have been assisted by contributions of money and other property by the Federal and State Governments; the building of railroads has very properly been encouraged and in some instances greatly assisted by donation of public land and by Government guaranteeing payment of the bonds of the companies. The people have usually approved the efforts made and the means used to encourage and assist in the construction of railroads; they know the necessity of railroads and they appreciate that wonderful growth and development have come as the result of their construction and operation. But while generally approving the assistance which has been given to railroads and, I may add, to rivers and harbors, the people feel the Government has overlooked the need of improved country highways, and has failed to perform its duty to encourage and assist in their construction.

The building and maintaining of good roads is not entirely a local need or a local benefit; the matter of expense of transporting farm products, whether the profit shall be large or small, does not concern the farmers alone; it concerns all the people. If there is no road from a farm to a market, or if travel over a road is difficult and expensive, the farmer may be unwilling or unable to dispose of his products; or if he takes them to market he may demand and possibly be able to receive higher prices than consumers are able or ought to be required to pay. The almost inevitable result of such a situation is, however, that the farmer, in spite of trouble and expense, will take his products to market and will receive therefor such price as the buyer is willing to pay, a price which will yield him smaller profit than his investment and his labor fairly entitle him to; smaller profit than he would have realized if he had had the advantage of a good road for the quick, cheap, and convenient transportation of his products.

Nearly every Member of this House at one time or another has talked about the "high cost of living"; many have assumed to tell us of causes or reasons for high prices, and occasionally some one rises and takes our valuable time to tell of a cure he has discovered. Members representing districts in large cities usually tell us the trouble is that farmers receive too much money for their produce; that the farmers are making too much profit. I have not time nor am I disposed to answer such statements, except to say that they are made by men who know nothing of the investment of the average farmer and nothing of the labor and other expense of the average farmer in producing his crops and in putting them on the market. Two or three years ago the then Secretary of Agriculture, James Wilson, after careful investigation, said that the average prices received by the farmers of the country are not more than one-half the prices paid by consumers. No; the farmers are not responsible for the high cost of living; farmers are not receiving too large prices or making too large profits. But it is true that it costs farmers too much—too much time, too much trouble, and too much money—to market their crops; and this loss of time and money is due to the poor condition of the roads over which they travel.

If roads were in good condition, farm products could be carried to market more quickly and easily and the farmers might be willing to accept lower prices than they now receive and still have larger profit, or the result might be that the farmers, reaching the consumer with less trouble and expense and dispensing with some of the middle men, would receive a larger part of the price the consumer pays. Either result will justify the use of money as provided by this bill; either would be satisfactory to the farmers; and they certainly are right in asking consideration of their welfare at the hands of Congress. And if advantage and profit are to be realized by both farmers and consumers, certainly their combined interests can not be ignored.

I can not agree with these gentlemen from some of the large cities who object to the use of Federal money in the improvement of highways over which rural mail is carried. They evidently feel that, inasmuch as the Federal Government has established the rural routes and maintains the Rural Mail Service, the highways ought to be constructed and maintained by State or local authority without assistance from the Government. They seem to think that the Rural Mail Service was established for the sole benefit of farmers, patrons of the rural routes, and that from a sense of gratitude for favors shown and benefits conferred upon them the farmers as a class ought to be willing to tax themselves to meet all expense of providing good roads

upon and over which the mail business, carried on for their convenience and advantage, is done. These gentlemen point to the fact that the Rural Mail Service is not self-supporting; that in fact it costs above \$30,000,000 each year more than it yields in postal revenue; and they evidently think the service should be so reduced that its cost shall not be greater than its receipts. The theory upon which these gentlemen proceed is wrong. The Rural Mail Service is not for the convenience and advantage of patrons of the routes alone, it is for the benefit of the entire country, fully as much for the benefit of business men of the cities as for the patrons of the routes.

If one thinks the Rural Mail Service is for the sole use and advantage of the people of country districts, he should get information as to the amount and character of mail matter delivered by rural carriers. He will learn that publishers of daily newspapers reach farmers as easily as they reach city subscribers; that city merchants reach farmers with their advertisements as easily and almost as quickly as they reach the people of the cities, who were formerly their only customers; that farmers do not now find it necessary to depend upon weekly newspapers, but subscribe for and receive daily newspapers and also receive magazines and other publications as regularly and as generally as do the people of cities.

One who believes that the rural mails are for the benefit of only one class of our people—farmers and other patrons of rural routes—will change his mind as he learns the extent to which these rural patrons use the mails and avail themselves of the advantage which daily delivery of mail gives them of keeping in touch with what is going on in the world, and as he learns the manner and extent of use of the mails by people of the cities to keep in touch with the business of rural communities and with the farmers themselves.

In my opinion the business men and publishers of newspapers and magazines would make the first and most strenuous objection to the suggestion, if anyone were foolish enough to make it, that the system or policy of rural mail be abandoned or restricted. And that being true, as I am sure it is, why do residents of large cities, even Representatives of cities in Congress, tell us that patrons of rural routes ought to bear all the expense of Rural Mail Service or that the cost of the service should not be greater than its receipts?

The rural service is a part of the great mail service of the country, just as proper and just as necessary as the City Delivery Service. It would be unreasonable to say the character and extent of city service should be limited by its receipts or that the cost of post-office equipment, including cost of building, should be paid by the taxpayers of the city, and it is just as unreasonable to say that the expense of furnishing local equipment and facilities for the rural mail service, including construction and maintenance of highways, shall all be paid by the patrons of rural routes or by the taxpayers of local communities having advantage of the service.

Mr. Chairman, I should be willing to approve the purpose of measures like this even if I believed, as is contended by some Members, that it will confer greater and more direct advantage upon rural communities than upon the great centers of business and population. I shall not be deterred from supporting this bill because Members call it class legislation. Even if it were for the particular or more direct benefit of farmers, should it not be passed? It is true that farmers, as a class, have been benefited by Federal legislation, even by legislation intended for the direct advantage and profit of other classes, but in almost every instance the benefit to farmers has been indirect. Farmers as a class have been benefited by the development of great manufactures and by large industrial activities which have been encouraged and protected by Federal legislation, but the benefit to farmers has been indirect. It is urged that this bill, if it becomes law, will confer direct benefits upon farmers by furnishing Federal aid and by cooperating in the building of highways. Why not? It will give aid and encouragement to a class of our people who need relief from the burdens they have been bearing; it will be helpful to a class of our people who deserve consideration at the hands of the Government.

The bill before us is not entirely satisfactory. I believe it will result in the employment of too many men, agents of the Government, to inspect highways after they have been constructed, because the bill provides that before the money promised by the Federal Government as its share of the expense of constructing any road can be paid to the State, the work done on the road must be inspected, so that the Government may know the State has earned and is entitled to the money. This duty of inspecting roads involves inspection of every road upon which work is done by a State in cooperation with the Government, and a very large number of men must necessarily be employed for this purpose. Too much of the money appropri-

ated by Congress for assisting and cooperating with the States, money which is needed and ought to be used in actual construction and maintenance of roads, will be used up in salaries and expenses of men running about the country; too much money will be used by the Government in "administration." And, besides, I dislike the employment of so many Federal employees for work in the States. The amendment I offer will, I believe, remove these very objectionable features. The Lever law of which I have spoken provides money to be paid to or to be available to the States, to enable agricultural colleges, in cooperation with the Department of Agriculture, to carry on extension work, like farm-management and farm-demonstration work.

Section 2 of that law provides that the cooperative work to be done by the department and the colleges "shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act."

In section 3 is found the following provision:

That before the funds herein appropriated shall become available to any college for any fiscal year, plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture.

It will be seen that a similar provision appears in section 3 of this road bill. The highway department of the State is required to submit and furnish to the Secretary of Agriculture "surveys, plans, specifications, and estimates of cost of said proposed construction or maintenance and any other information which he may consider proper," and if the Secretary shall approve these surveys and estimates he shall determine the amount of money to be paid the State for the proposed construction or maintenance and shall notify the State highway department of his finding. This road bill further provides that the highway authorities of the State may thereupon "commence and prosecute said construction or maintenance in substantial compliance with said surveys, plans, and specifications."

Up to this point the provisions of the Lever law and the provisions of this bill are similar. The following provision of this bill, the one that I point out as objectionable, is that, although the Secretary of Agriculture may have approved surveys and plans of a road and estimates of its cost and has directed or permitted the State highway commissioner to proceed with the work with the understanding that Federal money will be forthcoming, the Secretary will not be permitted—if this bill becomes a law—to make any payment to the State until he, the Secretary, "shall find that said construction or maintenance of said road has been finished in substantial compliance with said surveys, plans, and specifications."

This means, as I have said, the employment of a very large number of men whose duty it shall be to make actual inspection of every highway in the country to which the Federal Government is contributing money. Federal employees will overrun the States, and as I also point out, a very large part of the appropriations which this law will authorize will be used in paying salaries and expenses of these inspectors and in other respects for "administration." It seems to me that much of this objectionable employment and this use of large sums of money can easily be avoided by inserting in this bill a provision practically the same as the provision in the Lever law, which, as I indicate, provides that the proper officer of the State which has received Federal money under that act—

shall be required to report to the Secretary of Agriculture on or before the 1st day of September of each year a detailed statement of the amount so received during the previous fiscal year and of its disbursement on forms prescribed by the Secretary of Agriculture—

And provides further—

that if any portion of the money received by the designated officer or by any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall, by any action or contingency, be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State.

It is important to notice that the Lever Act contains a saving clause, or a clause that protects the authorities of the States against improper or unjust action on the part of the Secretary of Agriculture. This clause is found in section 6, and is as follows:

If the Secretary of Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

I wish to suggest to the committee which prepared this bill and now has charge of it in the House that the changes I sug-

gest by incorporation of features of the Lever law be given careful consideration. If this law shall be so framed as to give due notice to State authorities that Federal money must be used exactly or, as the act says, "in substantial compliance" with plans, specifications, estimates, and so forth, submitted to the Secretary of Agriculture, and that failure or refusal on their part fully or "substantially" to comply with the provisions of the law under which they receive money will make it necessary for the Secretary to withhold further payment of money, I believe every State will be anxious and willing to make "substantial" compliance with this law and with the demands of the Secretary. They certainly will not wish to have a horde of Federal employees—clerks from the department—running over the State, possibly as many inspectors as there are roads on which work under this act has been done, and possibly as many conclusions reached and reports made on the work done by the State, one road approved and another road similarly constructed, rejected.

I wish the committee and the House to give careful consideration to the danger that too much money, too large a part of the appropriation intended for and actually needed by the States, will be devoted to "administration." The annual appropriation to be made, if this law is enacted, is much too small to permit of frittering it away in salaries and expenses of clerks and inspectors, many of whom can easily and properly be dispensed with if the bill is amended in keeping with my suggestion.

I am not able to agree with those, or sympathize with the reason or excuse offered by those, who oppose this measure on the ground of "economy" or falling revenues. They admit the importance of good roads and the duty of our Government to supply financial aid to the States to construct and maintain them, but they say the present unfortunate condition of the Federal Treasury will not permit the appropriation of money—even the small sum of \$25,000,000—for the purpose. One who uses this argument or offers this excuse practically says to the people of the country that, inasmuch as they, the people, have placed in control of our Government a political party which now, as always when intrusted with power, repeals laws by which revenue may be provided and deliberately enacts laws and pursues policies which fail, as such laws and such policies have always failed, to supply revenue, therefore the people are willing and ought to be willing to submit uncomplainingly, if not cheerfully, to the embarrassment, inconvenience, and loss which inevitably follow the failure of that political party to provide money for carrying on proper and necessary work or to enable it to do its duty to the country.

If it were impossible to obtain money authorized by this bill without embarrassing the administration in lines of work which must be carried on, I should not support this bill; I should wait a year or two until the old policy will be in force and laws placed on the statute books which will provide money; but I support the measure in the belief that even the unwise revenue laws enacted during this administration will supply money for this worthy purpose. This bill calls for only \$25,000,000. Almost every day this session the Congress—of its own accord or on demand of some executive department—will or is liable to enact into law some measure carrying an appropriation which might be and ought to be reduced by at least \$25,000,000.

The Congress is blamed for extravagant and altogether unnecessary appropriations, but the fault is not all with the Congress. The administration and the several executive departments are as much, if not more, to blame than the Congress for this extravagance. The committees of the House and Senate have prepared a table comparing, by bills, estimates of regular annual appropriations for the fiscal year 1916 (passed last year) with those for 1917 (to be considered at this session). This table shows that the executive departments have presented estimates which they demand shall be approved and enacted into law by this session of Congress carrying appropriations which are larger by \$195,082,673.78 than their estimates and demands of last year, larger by \$170,920,796.14 than all appropriations actually made by the Congress last year. This table, prepared by the House and Senate committees, shows also the total estimated revenues for the year ending June 30, 1917, and contains the following statement:

The estimated appropriations (demanded by the administration) for 1917 will be found in detail in the Annual Book of Estimates, House Document No. 27, transmitted to Congress December 6, 1915, and the estimated revenues for 1917 in the annual report of the Secretary of the Treasury for the fiscal year 1915.

The appropriations estimated for by the administration and demanded of this Congress are \$1,285,857,808.16, and the estimated revenue out of which these appropriations are to be paid are \$919,500,000; that is, the administration and heads of executive departments, acting together, are asking this Congress

to appropriate \$366,357,808.16 more than the Treasury will receive.

It is true the estimates of the administration include an increase of \$46,806,971.48 for a larger Army and an increase of \$72,255,354.36 for a larger Navy, and possibly the people of the country, or those who believe the administration's program of preparedness ought to be carried out just as he has presented it, will say that there is no evidence of extravagance; that the increases to be provided for Army and Navy account for the excessive demands appearing in the estimates; but the increases for the Army and Navy amount to only \$119,062,325.84, whereas the total increase in the estimates is \$195,082,673.78, or \$76,020,347.94 greater than or in addition to increases demanded for Army and Navy. And, besides, it should be known that the administration reports to Congress the advisability of decreasing some of the appropriations; for example, decrease of \$5,535,000 in the appropriation to be made for pensions, a decrease for which the administration is not responsible and for which it can claim no credit; that in spite of and over and above these decreases, for which no credit can be claimed, the total increase demanded is \$195,082,673.78 larger than was estimated for and demanded last year, and larger by \$170,920,796.14 than all appropriations made by Congress last year.

These facts and figures certainly fully support the charge that the administration and not Congress is most to be blamed for extravagance. But Congress can not escape responsibility. The executive departments make their demands, but Congress holds the purse strings. Congress has authority, if it has courage, to refuse extravagant demands of the administration, even if the estimates have been prepared and are urged with ability and vigor by members of the Cabinet and their able and persuasive assistants. So my conclusion is that \$25,000,000 for the very proper purpose of building roads can be found by reasonable pruning of extravagant estimates and by exercise of reasonable economy by Congress in consideration of measures which involve large expenditures outside of the estimates and demands of the administration.

I believe the incorporation of these provisions of the Lever law, with such modifications as are necessary to accommodate them to this bill, will greatly improve it. But if the changes I suggest are not made, if the bill is urged for passage just as it is, I shall support it. I support it because I believe it is a step in the right direction; it is the beginning of a very proper effort on the part of the Federal Government to assist the States to carry on a most important and necessary work, a work which is very burdensome to the States and in which they sorely need the help the Government is abundantly able to give. This bill, enacted into law, will be a proper although a very tardy admission by the Congress of its duty to the country in a very important matter. The bill in its present form is faulty and the amount of money provided is small, but amendments can be made later and the amount of money can from time to time be increased to meet the needs and demands of the country. This law—when this bill is passed and becomes law—will, in my judgment, never be repealed, unless perhaps a better law involving this principle be enacted in its place; the policy herein declared and begun will never be abandoned.

Mr. SAUNDERS. Mr. Chairman, I would not say anything on behalf of the committee in the way of criticism of this amendment, except that apparently it is intended to protect the Federal Government's interest, and I would not want any Member of this body to think that we would oppose any proper amendment that would safeguard some point overlooked by your committee. But I submit that this amendment is entirely superfluous and unnecessary. Why should the Secretary of Agriculture call upon the States to make reports showing what moneys they had received under this act, when that information was already primarily in the possession of the Department of Agriculture?

Mr. McLAUGHLIN. Oh, I beg the gentleman's pardon. This is to call on them for a report as to how the money has been expended.

Mr. SAUNDERS. I will answer that. No money can be paid out by the Department of Agriculture to a State, until that State has satisfied the Department of Agriculture, that it has completed a project, or partially completed a project, in conformity with the requirements of the department. Hence when the department makes a payment, that payment is not made with reference to future expenditures, but is a payment for work already done. As between the Department of Agriculture, and a State, the Department of Agriculture is always apprised by its own records of every dollar that has been expended in that State.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. McLAUGHLIN. The Secretary of Agriculture is apprised as to the money that has been expended in the State, but this bill directs him by actual inspection of the work to know that the money has been properly expended.

Mr. SAUNDERS. Certainly, and that provision is intended to safeguard the Federal interest. The Department of Agriculture in the discharge of its duty can not, and ought not, to expend a dollar under this bill, until it is thoroughly satisfied that the work arranged for has been done in absolute conformity with the requirements of the department. Hence, as I have said, the payment is not one for future expenditures, but is compensation for work already done, and already approved by the Secretary of Agriculture.

Mr. McLAUGHLIN. If the gentleman will permit, my position is that it ought not to be necessary for the Secretary of Agriculture to send out a horde of inspectors to make actual inspection; that he ought to treat the highway authorities of a State as the Secretary of Agriculture treats the agricultural agents of a State in the matter of using the money under the Lever law. If he discovers later that the money has been improperly expended, he can withhold the next appropriation.

Mr. SAUNDERS. Why talk about withholding the funds, on the ground that money has been improperly expended, when the funds can not be primarily expended, unless a State has conformed to this law, and satisfied the Department of Agriculture that it has so conformed? Mr. Chairman, I submit that when our expenditures under this statute will be controlled by such definite requirements with respect to the conditions under which payments shall be made by the Department of Agriculture, there is no occasion to encumber this bill with the proposed amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. McLAUGHLIN) there were—ayes 22, noes 59.

So the amendment was rejected.

[By unanimous consent leave was granted to Mr. HELGESEN, Mr. DYER, and Mr. BROWNE of Wisconsin to extend their remarks in the Record.]

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Iowa [Mr. HAUGEN].

The question was taken and the substitute was rejected.

The CHAIRMAN. The question now is on agreeing to the committee amendment.

Mr. WALSH. Mr. Chairman, I will ask unanimous consent to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHACKLEFORD. Mr. Chairman, the amendment that has been adopted upon the suggestion of the gentleman from Iowa [Mr. TOWNER] has added to the bill the word "improvement" after the word "construction." I ask unanimous consent that, wherever the word "construction" appears in the bill, immediately following it shall be inserted the word "improvement," so that the phrase will read "construction, improvement, or maintenance," and that the word "improved" shall be written into the bill in all the sections immediately after the word "constructed."

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that wherever in the bill the word "construction" appears the Clerk shall write the word "improvement," and where the word "constructed" appears the word "improved" shall be written in. Is there objection to this request?

Mr. MANN. Well, Mr. Chairman, reserving the right to object, I have no objection to having it inserted where this amendment was, but I think a request of that kind ought to be carefully prepared in advance and furnished to the Clerk, and not impose upon the Clerk the business of correcting a bill by reading it through to see where a certain amendment should go in.

Mr. SHACKLEFORD. Just as the gentleman prefers.

Mr. MANN. I have no objection. The gentleman can make his request later on, and I think nobody will have any objection to it if he specifies where the word should go in, so the Clerk will have something to guide him in making the correction.

The CHAIRMAN. The request for unanimous consent is withdrawn for the present.

Mr. SHACKLEFORD. Mr. Chairman, I move to strike out of line 9, page 4, the word "substantial."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

On page 4, line 9, strike out the word "substantial."

The question was taken, and the amendment was agreed to. The Clerk read as follows:

SEC. 4. That all construction and maintenance of roads under the provisions of this act shall be under the supervision and control of the State highway department of the several States: *Provided*, That until January 1, 1920, the amount which has been apportioned to be expended in any State which has no State highway department shall be available for expenditure in such State in such manner as shall be agreed upon by the Secretary of Agriculture and the governor of such State; that the Secretary of Agriculture may make, or cause to be made, such inspection and examinations of any road constructed or maintained under the provisions of this act as he shall deem necessary, and he may prescribe what reports shall be made to him by the State highway department of any State in relation to any road in such State to the construction or maintenance of which aid under the provisions of this act has been given or sought, when such reports shall be made, and the form and subject matter of the same; that the Secretary of Agriculture shall have power to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase such materials and supplies, and to prescribe such rules and regulations for the administration of this act as he may consider expedient.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I had prepared an amendment upon this section providing for the striking out of the words beginning in line 4, after the word "State," down to and including the word "necessary," in line 8. I have not offered this amendment, and I would like to ask the chairman of the committee if, in his judgment, after this bill shall have been in operation and roads shall have been constructed under its provisions, it is the intention that there shall be a large number of men employed to go out and visit all sections of the United States to determine whether these roads have been built in accordance with the specifications of the Secretary of Agriculture?

Mr. SHACKLEFORD. Mr. Chairman, in reply to the interrogation of the gentleman from Illinois, I will say that it is not. I have talked the matter over with the Secretary of Agriculture and consulted him in drawing that particular part of it. He expressed to me the desire that the bill should be in such form that it would not call for any expensive increases of bureaucracy in his department, and we have concurred with him. We have put the construction and maintenance under the control of the State highway departments, and the whole thing is to be done by the State departments, subject to the Secretary of Agriculture being satisfied that the work has been done in compliance with the plans and specifications. In order to avoid the necessity of going into the State to do what the gentleman thinks we permit, it is provided that the Secretary of Agriculture has power to call upon the State highway departments for full reports as to what has been done in every particular road and to supply any other information which the Secretary of Agriculture may ask to have supplied, and nothing can be paid until he has done that.

In another part of the bill which the gentleman has not called attention to all of that is amply provided for and provided for the specific purpose of reducing the number of Federal employees. Twenty-two members of the committee, every one of them, worked diligently to bring about the very result the gentleman wishes and desires, and I believe that no bill could be framed that will call for a smaller number of Federal employees than the bill which we now present to the House, and I think the committee prides itself that we have so successfully accomplished that result. If the Secretary of Agriculture wants to know what has been done as to a particular road he asks the State highway department to furnish that information, and if he is not well satisfied he can ask for more information. It does not call for an inspector to go there and get it; but, of course, if some State highway department shows a disposition to overreach the Government as to this appropriation, undoubtedly the Secretary of Agriculture would, and he should, send enough inspectors to investigate the methods of that particular highway department to see whether or not it was acting in good faith toward the Government.

Mr. FOSTER. Mr. Chairman, I thank the gentleman for his explanation, and yet I realize that in the administration of laws many times there comes a request from a department that they must have so much money for the purpose of employing men and sending them out over the country, and I am frank to say to the gentleman that, so far as the State of Illinois is concerned—and I believe it is the same in other States of this country—it seems to me that the sworn statement of the local highway department, transmitted to the State highway commission and from there certified by the governor to the Secretary of Agriculture, should be sufficient. Now, I notice down in lines 15 and 16 it says that he shall have power to

employ "such assistants, clerks, and others persons in the city of Washington and elsewhere."

I think that that might be cured by providing "as Congress may provide," so that no Secretary of Agriculture now or in the future may have an opportunity, or should have the chance, I will say, of selecting a large number of employees and sending them out over the country to examine every little piece of road that may be built under this bill.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. FOSTER. I do.

Mr. COOPER of Wisconsin. Under the provisions of lines 14, 15, 16, 17, and 18, page 5, it is proposed to turn over several million dollars of public funds to be expended in the discretion of the Secretary of Agriculture for the employment of clerks and the purchase of material. In other words, he can hire as many clerks in the city of Washington and outside of the city of Washington as he pleases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. I offer this amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 17, after the word "supplies" insert the words "as Congress may provide."

Mr. FOSTER. I offer this, Mr. Chairman, as a limitation upon the Secretary of Agriculture in the employment of men.

Mr. SHACKLEFORD. If the gentleman will yield to me for a second, the committee makes no objection to that.

Mr. FOSTER. All right; I am willing.

Mr. MANN. What is that?

Mr. FOSTER. In line 17, after the word "supplies" add "as Congress may provide."

Mr. MANN. But what was the remark of the gentleman?

Mr. FOSTER. That there would be no objection.

Mr. MANN. I should think there would be a decided objection.

Mr. FOSTER. What I am trying to get at is, if I am unfortunate in not getting the right language—

Mr. COOPER of Wisconsin. Shall be provided for by "law" instead of provided for by "Congress."

Mr. FOSTER. I will modify the amendment and make it "by law."

Mr. MANN. Mr. Chairman, I do not expect to vote for this bill and have no desire to take any extra amount of time in perfecting it, but there would be no authority of law for Congress to provide anything of the kind, and, if they did, of course it would not be under this appropriation of \$25,000,000. It might have been better, I think, to have provided that Congress should make specific appropriation for the officials employed by the Government and pay for it out of the Treasury, and, possibly, outside of the \$25,000,000. But that has not been the scheme of the bill. The scheme of the bill is to have all officials paid for out of the \$25,000,000 which is appropriated each year.

Mr. FOSTER. I will say to my colleague that what I am trying to get here, and I believe the amendment would supply it, is to make the limitation upon the Secretary of Agriculture, whoever he may be.

Mr. MANN. But there would be no authority for inserting any items in the agricultural or other appropriation bill for these assistants. They would all go out on a point of order.

Mr. FOSTER. That should be made in the appropriation for this money for the good roads. Here is the authority.

Mr. MANN. Very well, the law would authorize the appropriation of \$25,000,000 for the good roads. Now, if I am not taking too much of the time—

Mr. FOSTER. Oh, no.

Mr. MANN (continuing). As a matter of practice and under the law, when they make an estimate for this money, and they would be required every year to make an estimate, the department, under the law, would be required to put into the estimate the amount of money they expected to spend for clerk hire and other assistants in the way of officials, and also report how much had been expended in the previous fiscal year, and the Committee on Appropriations would have that before them. It is very likely that the Committee on Appropriations would bring in, as it would have a right to do, a limitation in the appropriation as to how much of this could be used for these services. That limitation would be in order, because it would be a limitation on the appropriation bill and the committee would have the figures before it from the department, both as to how much had been expended the previous year and how much the department was considering expending for the next fiscal

year. But under the gentleman's amendment there would be no authority to insert an appropriation in the bill for these clerical assistants or other assistants, and the "gentleman from Illinois, Mr. MANN," or some other gentleman who watches appropriation bills, would make a point of order on it and it would go out, and we would have \$25,000,000 a year to spend and no way of expending it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask that the gentleman have more time.

The CHAIRMAN. Does the gentleman from Illinois [Mr. FOSTER] wish to proceed for three minutes additional?

Mr. FOSTER. Yes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Chairman, I ask that they change the word by inserting "as may be provided by law."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert in line 17 after the word "supplies" the words "as may be provided by law."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, now there is no provision of law, except this bill, on the subject.

Mr. FOSTER. I will say to the gentleman when Congress passes an appropriation bill that furnishes the law.

Mr. MANN. Surely. When the Congress has passed the appropriation bill that furnishes the law, but during the operation of passing an appropriation bill we can not insert an item over a point of order in the House unless it is already authorized by law previous to the passage of the appropriation bill. I think that the gentleman's amendment would simply mean that where you say that these things can be done they will not be done unless you say they can be done. But what we are doing in the bill is saying that they can be done.

Mr. FOSTER. I think it puts a limitation on the Secretary of Agriculture to do that.

Mr. MANN. Well, the gentlemen agree on what ought to be done, but do not agree upon the effect.

Mr. FOSTER. I think we are willing to risk that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOSTER].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. FOSTER. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 31, noes 5.

So the amendment was agreed to.

Mr. SIMS. Mr. Chairman, I wish to extend my remarks in order to discuss more fully this bill, and I do not wish to take time for it now.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. SLOAN. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 24, after the word "State," strike out the remainder of line 24 and all of line 25, on page 4; also strike out all of lines 1, 2, and 3, on page 5, and all of line 4 up to the word "that" on said page.

Mr. SLOAN. Mr. Chairman, the effect of the proposed amendment would be to remove the apparent requirement that is being made on the different States to establish highway departments or commissions. The theory of this bill is that the United States Government shall treat with the States, first, through a highway department, if there be one. If there be no highway department established, then through the governor of the State. The effect of this bill, and especially that portion of it which I seek to have stricken out, would be to require a State, entitled to its apportionment of these funds from year to year, to go into the commission form of government by establishing departments, which some States in this Union do not particularly favor. It simply amounts to a means of coercion by the Federal Government; it says in effect that these States shall have a commission on highways or a highway department, which is not usually a representative department.

The governor is an officer elected by the people in every State, I presume, and directly responsible to the people, and he is the proper officer to deal with, unless the State itself sees fit to establish a highway commission. We guarantee through the Constitution a republican form of government to the States.

We will not abide a State departing from it. But here is a method and means for giving, at least in part, a government not elective, not responsible to the people, but a commission appointive, and only indirectly responsible to the people. I think it is an unwarranted power, or an unwarranted use of power, at least, to limit the time within which the Secretary of Agriculture should treat with the governor of a State. If we leave it this way, after the lapse of four years the State which has no highway department would not be entitled to receive the benefits of this bill or of the moneys that would be given to the State under this bill from the Federal Government. I say, therefore, the effect of this amendment would be simply to leave it as it is now, for the department to deal with the highway department or governor of the State, whichever the sovereign will of the State should elect.

Mr. BROWNE of Wisconsin. Mr. Chairman, in reply to the argument of the gentleman from Nebraska [Mr. SLOAN], I will say that at the present time all the States of the Union have highway departments except eight. A few years ago only a very few of the States had highway departments, but it has been demonstrated beyond any question that the State that is interested in highway improvement and is making any progress in highway improvement establishes as one of the first steps to road improvement a State highway department. The highway department then engages a competent highway engineer.

A great many gentlemen have criticized this bill because it did not provide that a State shall be required to have a highway commission in the first instance before any aid was given. But this bill provides that by the year 1920 each State receiving aid shall have a highway department. I think this requirement is a very essential thing for obtaining good roads in a State, and it is very essential that the State should have a highway department in order to insure the proper use of its own road fund as well as the funds given to it by the Federal Government.

Mr. SLOAN. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Nebraska?

Mr. BROWNE of Wisconsin. Yes.

Mr. SLOAN. Is it not the purpose of this provision to force every State in the Union to have a highway commission?

Mr. BROWNE of Wisconsin. Yes.

Mr. SLOAN. Does the gentleman think the Government of the United States should force a phase of government upon any State which is not republican and representative in character?

Mr. BROWNE of Wisconsin. I will say to the gentleman that this is following the precedent of the Department of Agriculture in making the localities receiving aid comply with certain requirements, such as paying part of the salaries of agricultural agents. There is a provision in the agricultural bill that we passed at the last session of Congress which requires the States to do certain things before they can get any of that fund. It is necessary in order to get a State out of the old rut that it has been in for years, in order to insure the proper application and investment of funds appropriated by the Federal Government, to establish certain Government machinery for that purpose, and in this case, in order that the roads should be built in an intelligent manner, it is necessary to require them to have a highway department.

Mr. SLOAN. Mr. Chairman, will the gentleman yield further?

The CHAIRMAN. Does the gentleman again yield?

Mr. BROWNE of Wisconsin. Yes.

Mr. SLOAN. In the law that the gentleman cites is it required that any State shall have any particular department of government that it has not already got?

Mr. BROWNE of Wisconsin. It makes the distribution of the funds appropriated by the Federal Government contingent upon the State doing certain things, and it provides that the State agricultural colleges shall do certain things before they can get the money apportioned to them.

Mr. SLOAN. Certainly.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question was taken, and the amendment was rejected.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio [Mr. LONGWORTH] moves to strike out the last word.

Mr. LONGWORTH. Mr. Chairman, I have listened with particular attention to the arguments of gentlemen favoring this bill, because circumstances over which I had no control debarred me from the benefit of the debate on a similar bill

that passed this House last year. I find with much regret that I am unable to support this bill as it stands and at this time.

I recognize that there are no politics in this measure. I recognize, too, that there is no geography or sectionalism in it. Certainly there ought not to be. Merely because a Member lives in a district which will derive no direct benefit from the bill is no excuse whatever for his voting against it, if, in his judgment, it will be for the benefit of the country at large. Personally, I am as much in favor of good roads in the country as any gentleman who favors this bill. I am as much in favor of legislation which may be for the benefit of farmers as any man in this House, I think. Certainly I am willing to go further than many, because I am willing to give the farmer not only good roads but adequate protection on everything that he raises on his farm. Upon due consideration I do not believe that this bill will at all provide the benefits its proponents seem to believe. But, at any rate, this is not a time, in my judgment, gentlemen, to pass this legislation. The condition of the Treasury is such that I do not think we can go ahead with reckless expenditures, even for worthy purposes. I call the attention of this House to the Treasury situation as it stands to-day. I hold in my hand the Treasury report of January 22, which is the last issued, and in it I find that there is, according to the new method of accounting, \$102,000,000 cash balance in the Treasury.

Now, let us see how much of that we can draw on to pay the expenses of the \$25,000,000 appropriation which will come if this bill passes. I find that in that \$102,000,000 is included \$53,000,000 of funds in the hands of disbursing officers. You can not draw on that. I find that there is subsidiary silver coin amounting to \$21,000,000. You can not draw on that. I find that there is minor coin amounting to nearly two millions. You can not draw on that. I find that there is silver bullion to the value of about \$6,000,000. You can not draw on that. I find that there are deposits in the Philippine treasury of over \$6,000,000. You can not draw on that. And when you add up these various items you arrive at the situation that there is to-day in the United States Treasury less than \$13,000,000 available cash balance, even figured in the most liberal possible way.

Permit me also to call your attention to the statement of the chairman of the Committee on Appropriations the other day. He made this remark, and it is significant, gentlemen. I asked the gentleman from New York what the balance in the Treasury would be if all debts now due were paid, and the gentleman from New York replied:

The country would be bankrupt if we paid all the obligations from public funds.

The situation is simply this, that if you are to pay out \$25,000,000 a year, you must provide a new form of taxation to do it, and any man who votes in favor of this bill must be willing to advocate some new form of taxation, probably a stamp tax, which was well described by the gentleman from Illinois [Mr. MANN] as being the most odious form of taxation.

I am fearful also, Mr. Chairman, that if you pass this bill it may be used by opponents of preparedness to prevent adequate expenditures for that purpose by this Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. May I have two minutes more, Mr. Chairman?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes.

Mr. SHACKLEFORD. I do not like to object, but I should like to see if we can have some agreement as to limiting debate on this section?

Mr. LONGWORTH. I merely want to complete my statement.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. As I say, Mr. Chairman, I am fearful that this may be used by gentlemen who are opposed to any increase in the Army and Navy this year by making it appear that we shall be compelled to resort to additional forms of taxation to raise even this money. Personally I am in favor of that degree of preparedness described in the patriotic and eloquent speech of the gentleman from Illinois [Mr. MANN] this morning, a preparedness not only to resist invasion of our shores, but adequate also to protect every American citizen in his life and property wherever he may be. [Applause.] I am not willing at this time to risk the failure of adequate appropriations for preparedness because of this expenditure, therefore I am constrained to vote against this bill at the present time and in its present shape.

Mr. SHACKLEFORD. With great reluctance?

Mr. LONGWORTH. With great reluctance.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that debate on this section close in five minutes.

Mr. SLOAN. I have a couple of amendments that I desire to present.

Mr. SHACKLEFORD. Then I will ask that debate on this section and amendments thereto close in 15 minutes—one half of the time to be controlled by the gentleman from Nebraska [Mr. SLOAN] and the other half by myself.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that debate on this section and amendments thereto close in 15 minutes—one half of the time to be controlled by the gentleman from Nebraska [Mr. SLOAN] and the other half by himself. Is there objection?

There was no objection.

Mr. SHACKLEFORD. I yield to the gentleman from South Carolina [Mr. RAGSDALE].

Mr. RAGSDALE. Mr. Chairman, when I find the proponents of preparedness here opposing everything that goes to the protection of the people in the rural communities I am very much interested. I am interested in everything that they say and print in the RECORD. I am also interested in some of the things that they do not say. When the distinguished gentleman from Ohio [Mr. LONGWORTH] made his remarks as to his interest in the protection of that which the farmer raises, I am sure it was merely a slip of his mind that he forgot to state that he was also in favor of the same degree of protection for that which the farmer buys; and that, as a matter of fact, he knows that very little of the protection that he would put upon the country would be real protection to the farmer, and that the system of protection which he proposes would add enormously to the burden of the farmer's cost of living.

Since I have been a Member of this House I do not think I have ever cast a ballot against a reasonable degree of expenditures or any expenditures for the Army and Navy, and, in common with others here, I feel that the time has now come in the history of this country when a reasonable preparedness ought to be brought about in order that this country may maintain the position which it is entitled to occupy in international affairs. I do not care how it is necessary to raise the money, if we get the results for the people to which they are entitled. My own belief is that, if it is necessary, we ought to sell the bonds that are now in the Treasury and issue a new set of bonds in order to protect the people at home and in order to protect this country against other nations.

But, Mr. Chairman, whenever we take up a discussion in favor of good roads, some gentlemen say there is "pork" in it. If we discuss anything that increases transportation facilities, either by way of good roads or by river and harbor bills, some gentlemen say there is "pork" in it. If an effort is made here on the part of this Government to give governmental aid to rural credit, some gentlemen call it paternalism, but if it is for an appropriation that goes anywhere except in rural communities, then the man who proposes it is a wise and patriotic statesman, and it is a good form of government which carries it out.

I want to say to the gentleman from Massachusetts and others along the eastern coast who have been opposing this legislation, that the people of the South realize that practically every one of the munition factories is located between Norfolk and Maine. We realize that the population and wealth of this country are to be found there. We realize that below Norfolk there will be no attack on this country in all probability by any foreign power. We learn also from the experts of the Army and Navy that we do not need anything to protect the portion of the country south of Virginia. But coming here from the South, with our loyalty to this Government unquestioned, the people of the South want to stand behind this Government and occupy a place in it, and we ask but a small share of the appropriations. We are coming here asking in this bill that we be given some small measure of that to which we are entitled; and every gentleman here knows that for the past half century the South has been taxed far beyond what she has received from this Government. Under these conditions, Mr. Chairman, I hope that this House will enact some kind of a good roads bill at this session. I am ready to vote for it. I do not say this is the best bill that could be passed, but I say almost any bill that gives us better roads, almost any bill that gives us a better rural credit system, almost any bill that lightens the burdens carried because of bad roads and high rates of interest paid by the farmers will better the conditions under which the farmers of this country are now forced to live. [Applause.]

Mr. SLOAN. Mr. Chairman, I have an amendment that I desire to offer.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 18, after the word "expedient," insert "Provided, That on payment to any State of any sum for the purposes herein set forth the same shall be made upon condition that should the State fail, neglect, or refuse to maintain in good order and condition the roads established through such national aid, said State should forfeit to the United States a sum equal to 3 per cent per annum upon the amount of money contributed by the United States for the same."

Mr. SLOAN. Mr. Chairman, this amendment is submitted, believing that this Government work is not done and responsibility to itself is not complete when it gives to a State enough money to complete the highways indicated, whether that of a post road, interstate highway, or a military road. Under this bill the State immediately after the completion of a road can relocate the road, dislocate it or terminate its existence, and there is no recourse whatever provided for the Government. So I submit that it is our duty to the country which we profess to represent to see that this money shall be paid to the State highway department only upon condition that if the State fails, neglects, or refuses to maintain the road for the purposes for which it was constructed, then for every year it shall so fail, neglect, or refuse it shall forfeit from the funds that may at any time be due from the Government to the State 3 per cent of the amount the Government had contributed to the construction of the road so allowed to go into disuse.

I know that in the discussion of some of these matters amendments are not very well received from this side of the House, and yet I am gratified to say that a number of criticisms that I have presented, although meeting with a storm of opposition at first, have entered into the bill, and so I offer this in absolute good faith, believing that the Government should not appropriate these sums to the State without having some recourse on the State to compel its carrying out the purpose for which the investment was made. We have the power because we have the money; we can withhold the money until the State agrees to maintain the road which was so constructed. If it fails, we can readily collect by withholding it. The zeal with which the State's interests in this bill are being looked after and the apparent overlooking of the Federal rights makes Congressmen appear more like legislators for the State, seizing the funds of the Government and distributing it as treasure trove, brigand loot. The Government is to give money in princely sums to build roads over which the United States mail may be carried, interstate commerce pass, or Government troops may pass. But with the expenditure of the money and the completion of the work the Government can not force the continuance or maintenance of the road one day for any of these purposes. The money is gone; there is no recourse. The State is playing the part of the Lothario who enjoys unrestrained companionship without the fetters of matrimony and under no accountability for the usual responsibilities arising thereunder.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was rejected.

Mr. SLOAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, add to section 4 the following: "Provided, That should any dispute arise between the highway authorities of any State and the Secretary of Agriculture relative to the findings, acts, or doings of the Secretary of Agriculture under this act an appeal may be had to the President of the United States upon the record made by the parties to said dispute or upon additional evidence and hearing which the President may, in his discretion, demand."

Mr. SLOAN. Mr. Chairman, I simply want to submit this for the purpose of taking from the Secretary of Agriculture the final word on the last proposition that may be involved between the Secretary of Agriculture and the representatives of the State.

Mr. BORLAND. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. BORLAND. Would not the gentleman refer it to The Hague tribunal for arbitration?

Mr. SLOAN. No; I would not refer it to The Hague tribunal, I would refer it to the gentleman from Kansas City.

Mr. MANN. That would be the same thing; both will be dead tribunals in the next Congress. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read section 5, as follows:

SEC. 5. That the necessary culverts and bridges shall be considered as parts of the roads constructed or maintained under the provisions of this act; that the roads which may be constructed or maintained under the provisions of this act shall include earth, sand-clay, sand-gravel, and

other common types of roads, as well as roads of higher classes, one of the purposes of this act being to encourage and promote the improvement of a general system of roads leading from cities, towns, and railway stations into the adjacent farming communities.

Mr. WALSH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by striking out at the beginning of section 5 the following language:

"That the necessary culverts and bridges shall be considered as parts of the roads constructed or maintained under the provisions of this act."

Mr. WALSH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and yield back the balance of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WALSH. Mr. Chairman, I have listened with patience and care to the discussion on the merits of this measure, which has been under debate in this House, sitting in Committee of the Whole House on the state of the Union, during the past five days.

I should not again project myself into the debate, nor again seek to justify my action in presenting minority views on this measure, were it not for the fact that the proponents of the bill seem to have assumed that I am opposed to good roads, and that the sentiment of Massachusetts is contrary to the position taken by those who contend that well-built and carefully maintained roads are of decided benefit to any community—local, State, or National.

They do not really believe that, Mr. Chairman, for they know full well, or if they do not know they ought to know, or if they care to know they can easily ascertain, that the glorious old Commonwealth of Massachusetts has, since 1892, been engaged in highway construction along State-aid lines,

and has built many miles of the best and most modern highways in the entire country, and has maintained them, and beyond this has educated the people in the numerous rural and suburban sections up to a high standard of highway construction and maintenance which has led to wise and economical expenditure of county and town appropriations.

These attacks on Massachusetts, these sneers and jibes at the Members from the Bay State, how weak and ineffectual they are, Mr. Chairman, and somewhat unseemly, too. Massachusetts has become accustomed to that, and we fully appreciate that success, prosperity, and contentment in the State as well as in the individual are wont to provoke envy and jealousy in the minds of those representing less enlightened and less advanced sections of the Union.

We have listened to the enunciation of the doctrine here on the floor of the House, apparently advanced with seriousness, that because the citizens of one section of the country have built up successful and prospering mercantile and manufacturing establishments in one part of the Nation, therefore they must be assessed more than their just and proportionate share of the expense of Federal activity in other parts of the Nation.

To pay this bill direct taxation must necessarily be resorted to in the present condition of the Federal Treasury, and direct taxation of the most obnoxious character must be imposed on the long-suffering public; that is, by stamp taxes.

Of the fifty-two millions raised by the emergency revenue tax during the fiscal year ending June 30, 1914, the State of Massachusetts contributed over two millions, and the States of Connecticut, Illinois, Indiana, Massachusetts, New Jersey, New York, Ohio, and Pennsylvania paid thirty-one millions, and a like proportion of the sum appropriated by this bill will be contributed by these same States.

The following table sets forth in more detail the information as to "who pays the freight":

Statement of emergency revenue receipts (act of Oct. 22, 1914) in the following-named States during the fiscal year ended June 30, 1915.

State.	Wines, champagne, liqueurs, cordials, etc.	Grape brandy used in fortifying sweet wines.	Fermented liquors (additional 50 cents a barrel).	Special taxes relating to manufacture and sale of tobacco, cigars, and cigarettes.	Special taxes, including bankers, brokers, theaters, bowling alleys, etc.	Schedule A (documentary stamps, etc.).	Schedule B (perfumery, cosmetics, etc.).	Aggregate.
Connecticut.....	\$28,537.69	.....	\$242,866.05	\$35,380.14	\$66,880.23	\$264,743.75	\$45,427.52	\$683,835.33
Illinois.....	188,752.07	.....	1,941,663.95	163,347.92	367,064.66	2,292,855.98	573,121.87	5,526,806.45
Indiana.....	25,545.07	.....	475,065.09	83,949.94	152,116.87	374,006.19	29,409.38	1,140,092.51
Massachusetts.....	116,457.39	.....	764,029.30	69,220.78	208,124.34	915,431.69	128,903.90	2,202,167.31
New Jersey.....	64,022.03	.....	1,008,139.21	85,933.15	131,208.95	351,829.10	200,880.43	1,842,012.87
New York.....	478,860.00	\$1,204.01	4,129,382.05	329,340.75	859,775.64	5,131,040.10	900,688.03	11,830,290.58
Ohio.....	100,703.11	.....	1,455,937.17	167,479.63	276,640.74	849,996.38	160,238.28	3,010,993.31
Pennsylvania.....	152,627.89	.....	2,302,505.27	298,851.11	537,521.84	1,523,038.68	119,510.83	4,904,055.62
Total collected (8 States).....	1,155,505.25	1,204.01	12,319,588.09	1,203,503.47	2,599,333.27	11,702,941.76	2,158,178.24	31,140,254.03
Total collected in the United States.....	2,307,301.97	133,383.56	18,713,679.88	2,486,616.36	4,967,179.18	20,494,474.75	2,961,490.59	52,069,126.23

Let me also direct your attention to the attitude, with reference to this bill, assumed by one of the country's greatest newspapers, the New York Sun, as set forth in the editorial columns of its issue of the 25th instant:

A PROPOSED MONSTROUS PERVERSION OF LEGISLATIVE POWER.

The Shackleford so-called good-roads bill now before the House of the Congress is so preposterous in its purpose, so childish in its provisions to carry out its purpose, it has not seemed deserving of other than the casual and light treatment it has received, so far as we have observed, from the press of those States upon which the bill seeks to levy a tax of \$25,000,000 annually for the benefit of States unwilling to improve their own roads at their own expense. It seemed fair to assume that so frank an attempt to hold up the National Treasury, to strip it of a sum in excess of one-half of the funds now available to meet the current expenses of Government, would be laughed out of the House. There are indications that such an assumption rested on faith—unjustified.

The bill is drawn with cunning use of words designed to conceal its ugliness. There is soothing patter of "reasonable cost," of Federal supervision, of encouragement of roads "leading from cities, towns, and railway stations into the adjacent farming communities" to aid in the conduct of the Postal Service.

Here, baldly, is what the bill authorizes: An appropriation annually of \$25,000,000 for the construction and maintenance of rural roads. Out of this sum \$65,000 is to be allotted to each State. Out of the remainder the Secretary of Agriculture is to allot his department such a sum as he "shall deem necessary to defray the expenses of his department in the administration of this act," and the remainder after such deduction shall be distributed to the States, "one half in the ratio which the population of each State bears to the population of all the States" and the other half of such remainder in the ratio which the mileage of Rural Free Delivery and star mail routes in each State bears "to the same mileage in all the States."

This language is, of course, designed to create the impression that here is something which would improve rural free delivery, which, by the way, cost the Government \$49,000,000 last year. But a little further examination shows what is the real purpose of the bill. In its

first section it is provided "that for the purpose of this act the term 'rural post roads' shall be held to mean any public road over which rural mail is or might be carried."

In other words, all rural roads are to be built and maintained largely at Federal expense. And away down in the last section of the bill is found this precious supplement to the "or might be" provision: "That the necessary culverts and bridges shall be considered as parts of the roads constructed or maintained under provisions of this act."

There you are. No longer need the supervisors of Wayback County face the horrid thought of taxing Waybackers for a bridge over Purling Creek. Uncle Sam will build it.

During the debate in the House on this bill Mr. MADDEN, of Illinois, and other gentlemen unafraid were eager to learn something about the whyness of that initial gift of \$65,000 to each State. Their curiosity remained unsatisfied. The contemplated roads are to be of "earth, sand clay, sand gravel, or other type," and the Secretary of Agriculture is to determine what part of the cost Uncle Sam shall pay, but it must not be less than 30 nor more than 50 per cent.

How beautifully the proposed allotment of the first year's appropriation works out these few comparisons reveal: In 1913 Alabama spent for State highways \$127,000, and under the allotment would receive \$579,000; Georgia spent nothing and would receive \$722,000; while California, which spent \$2,000,000, would get less, \$504,000. Florida spent nothing and would get \$202,000, but Connecticut, which spent \$3,483,000, would get \$258,000, to encourage her in well-doing.

Representative SHACKLEFORD is from Missouri. That State, according to a table prepared by the Department of Agriculture, has expended for State highways \$1,421,983. Connecticut has spent \$14,934,176; Massachusetts, \$16,365,425; New Jersey, \$7,192,268; Pennsylvania, \$24,259,954; New York, \$82,638,729. These States, with a few others which have spent their own money liberally for good roads, will be taxed for the greater part, much the greater, of this annual gift of \$25,000,000 to States which tax themselves little or nothing for roads.

We hope for its own reputation that the House will not pass this bill. If it does, we believe it will die in the Senate. Should it not, we are confined to the hope that an attempt to exercise so monstrous a perversion of legislative power will not receive the approval of President Wilson.

Let me, in conclusion, recall the words of the distinguished Member from Kentucky [Mr. SHERLEY] when, in referring to the failure of his own State to pay its share of the expenses incurred in eradicating the foot-and-mouth disease among cattle, the United States having contributed its portion of the cost, he spoke the other day as follows:

Now, what does that mean? It means that all the time the States are talking about rights and are ignoring duties, they are trying to unload upon Uncle Sam the burden of taking care of things which primarily belong to them [the States] to take care of.

How apt this utterance, and how well it fits the present attempt to shift onto the National Government a duty which many States have made no attempt, even, to fulfill.

I again direct your attention to the statements set forth in the report filed by me, and submit that none of these arguments have been successfully controverted:

[H. Rept. 26, pt. 2, 64th Cong., 1st sess.]

RURAL POST ROADS.

Mr. WALSH, from the Committee on Roads, submitted the following minority views (to accompany H. R. 7617):

I am unable to concur with my colleagues on the committee reporting this bill, and respectfully submit herein my views on the proposed legislation appertaining to this important problem.

I do not believe that the Federal Government should invest itself with the responsibilities and liabilities coincident with the business of road construction and maintenance.

I am opposed to appropriating the sum named for any such purpose, especially at this time, when there are other matters of more pressing importance, and requiring the appropriation of large sums of money, pending.

The condition of the Federal Treasury at present is not such as to warrant appropriating any such amount for a purpose entirely new, under a scheme entirely novel in its details and scope. In view of such condition and because it has been necessary to resort to emergency taxation, which has been continued until December 31, 1916, I am of opinion that this proposed legislation can well be deferred until some future time, when our finances are in condition to warrant such an outlay.

Many States have already expended millions of dollars in the construction of roads suitable for all classes of highway traffic, and they should not now be called upon to contribute toward the construction of highways in foreign jurisdictions which have neglected this vital duty.

It should be noted also that the States which now have the more improved systems of highways will contribute the larger share to the project sought to be enacted into law by this measure.

The States of Connecticut, Massachusetts, New York, New Jersey, Ohio, and Pennsylvania will pay into the Federal Treasury the larger proportion of the sum appropriated in this measure, and will receive in some cases less than one-quarter the amount paid in, while other States will receive relatively twice as much as they contribute to the Federal Treasury.

I can not agree with the definition of "rural post road," as set out in section 1.

I am opposed to the method of apportionment as proposed in section 2, and desire to direct attention to the fact that no allowance is made for that part of the population of the several States which live in the cities and thickly settled centers and which are not served by rural free delivery.

The discrepancies in the apportionment are in many instances glaring, for example:

Colorado, with a population of but 799,024, is allotted \$252,168; Oregon, with 672,765 inhabitants, is allotted \$248,792; North and South Dakota, each with a few thousands less than 600,000 inhabitants, are allotted \$325,372 and \$337,406, respectively; while Connecticut, with a population of 1,114,756, is entitled to but \$258,638.

Turning to the mileage of rural free delivery and star routes, a similar discrepancy attains:

Louisiana, having 0.75 per cent of total mileage of these routes, is allotted \$345,064; yet West Virginia, with 1.19 per cent of total mileage, receives but \$340,688, and Montana, having 0.76 per cent of total route mileage, is apportioned but \$192,998.

The views of my colleagues on the committee set forth that primarily it is the duty of the State to provide roads for the people, and it is respectfully contended that failure on the part of the State to perform its duty does not transfer that duty to the Federal Government.

It is also contended by the committee that the General Government has constitutional power to construct and maintain "post roads."

Assuming, but not admitting, this to be true, it is usually the practice, when the General Government erects, builds, or takes over any utility of commerce, manufacture, or agriculture that it likewise retains jurisdiction over it, while this bill expressly precludes the proper exercise of Government jurisdiction over a Government utility.

It will be claimed that because the Federal Government may justly contribute toward the construction and improvement of that which it utilizes, i. e., highways, in exercising its important function of mail transportation and delivery, that it ought to pay a part of the cost of the construction of such highways.

If this be the object sought, then certainly the share of the expense which the United States Government is required to pay should be in proportion to the use made by it of the highways, taking into consideration all the uses to which said highways are put.

To enact this legislation on the shallow pretext set forth would be to commit the Federal Government to a policy which would lead to enormous expenditures in the future, with but little benefit to the people as a whole, and it will lead to demands in the future from States which in the past have shamefully disregarded the duty owed the people within their borders that the United States bear the whole expense of road construction and maintenance.

It will discourage rather than encourage road construction under State auspices and will open wide the door for quibbling, criticism, and experimentation, all at the expense, in large measure, of States which have expended their own money for their own internal improvements.

This legislation in its present form, and in the absence of any provision for repayment to the Federal Government of a portion, at least, of the moneys expended, to my mind, is a piece of governmental paternalism which I can not favor.

Respectfully submitted.

JOSEPH WALSH.

It is sought by those representing States hungry for a share of Federal funds to place Massachusetts upon an equal footing with the other States in the matter of apportionment, but to discriminate against her in the matter of taxation, by way of direct taxes which will be levied to provide this appropriation, and to allow her no credit for the millions she has spent in the past from money raised by taxes levied upon her own people, which taxes have been cheerfully paid, and which funds have been wisely expended, in constructing a system of highways which well may be termed the standard of the Nation.

Mr. MORGAN of Oklahoma. Mr. Chairman, I have listened to a good part of the debate on this bill and have read quite a number of the speeches.

Mr. SHACKLEFORD. Will the gentleman from Oklahoma yield to me for a minute?

Mr. MORGAN of Oklahoma. Certainly.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that all debate on this section and amendment thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate on this section close in 10 minutes. Is there objection?

There was no objection.

Mr. MORGAN of Oklahoma. Mr. Chairman, this bill has been discussed with great ability and much earnestness. I have been wondering how able men can differ so widely upon a simple proposition like this. No one is to be criticized for his views on this or any other matter. We must assume that all are honest in their views. I have voted for every road bill that has been presented to this House since I have been a Member of it. This is the third bill that has been before the House since I came here. I shall vote for this bill. [Applause.] I can not now add materially to the discussion that has already taken place. Of course I believe that agriculture is our fundamental industry. I believe it is the duty of the National Government in every way possible to encourage that great industry. I believe the Federal Government should aid the States in building good roads. We do not do this as a gift to our farmers. But if we build good roads we do it on broad general grounds, that by so doing we strengthen the great Government of which we are proud to be citizens.

This bill provides that not to exceed \$25,000,000 annually shall be appropriated, to be distributed among the States, to encourage the building of good roads. The State, to participate in this fund, must contribute an amount equal to that which it receives from the National Government. Under the provisions of this bill, Oklahoma would receive annually from the National Treasury something over \$500,000. This would not build many miles of public highways. It would, however, be an encouragement and an incentive for our people to improve the character of our roads. In other words, this money would promote good road building. The National Government can not undertake to build roads for the States; it can, in view of the importance of good roads and their value to the Nation, take funds from the National Treasury as a means to insure greater activity in building good roads in the various States of the Union. I have been surprised that many of the Members of this House representing the great cities of the country have opposed this bill with vigor and ardor. No doubt they, in a large measure, represent the views of the majority of the people whom they represent; no doubt, too, they express their own honest convictions. I regret, however, that on this proposition there should seem to be an antagonism of interests between the city and the country. There is nothing more certain than that the country and city are really identical in interests. The city can not impoverish the country without in the long run impoverishing itself; the country can not grow and prosper without contributing bountifully to the wealth and development of the city. A proposition that means agricultural growth means commercial and industrial expansion. The country and the city are bound together by indissoluble ties which we can not break by either our speeches or our votes.

Some have insisted that national funds should be used only to build great interstate highways; yet we must remember that the flag floats over the most remote highway of this country.

The Constitution may not follow the flag, but the benefit of national appropriations should extend to every foot of soil over which the flag floats.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts. The amendment was rejected.

Mr. KING. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 23, after the comma following the word "earth," insert the word "earth-oiled," followed by a comma.

Mr. KING. Mr. Chairman, I do not expect to take up the time of the committee, as I believe this amendment will be adopted unanimously. I have taken the matter up with the chairman of the committee, and I believe the members of the committee are favorably inclined toward this small amendment.

I wish to say one or two words in favor of the oiled road, which is not, as a matter of fact, recognized in this bill. I was very sorry the other day to have the gentleman from Indiana [Mr. Wood] attack the Illinois roads without any notice whatever when I was sitting beside him assisting him, so far as I could, in the passage of this bill. We admit that perhaps in certain parts of Illinois the roads are not up to what they ought to be, and I will concede to the gentleman the fact that he has good roads in Indiana, that he has a reasonable amount of blue sky in Indiana. He made one remark to the effect that more people in the United States cross the State of Indiana than any other State in the Union. I also concede that to be absolutely true. They always cross, but they seldom stop in Indiana. [Laughter.] Mr. Chairman, had the gentleman traveled in my section of the State over that thick black dirt—12 inches thick—that God Almighty placed there for the purpose of giving the people on the sand hills of Indiana something to eat, he would not have made the statement. There we used oil in the first place merely for laying the dust, but it was soon discovered that by treating the road properly, by putting a coat of oil on in the spring and again in the fall, and perhaps once after that, that we had what is absolutely a permanent road. Oil not only lays the dust, but it forms a foundation that is superior for the travel of wagons and automobiles. Therefore I trust that in view of the fact that all of the other amendments having been voted down, this one will be adopted without opposition. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

SEC. 7. That this act shall be in force from and after its passage.

Mr. SIMS. Mr. Chairman, I move to strike out section 7. It is absolutely superfluous.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend on page 6 by striking out lines 8 and 9.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken.

Mr. SAUNDERS. Mr. Chairman, I ask unanimous consent that it go out of the bill.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all of section 7 may be stricken from the bill. Is there objection?

There was no objection, and it was so ordered.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent to return to the various sections in the bill where the phrase "construction or maintenance" occurs, except where the word "improvement" has already been inserted by amendment, and to insert after the word "construction" the word "improvement," and wherever the phrase "constructed or maintained" occurs to insert after the word "constructed" the word "improved," and I ask that the Clerk report those various places, which I have marked in the bill.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to certain portions of the bill for the purpose of offering an amendment which the Clerk will report.

The Clerk read as follows:

After the word "construction," on page 1, insert the word "improvement" in the amendment.

Page 4, line 2, after the word "construction," insert the word "improvement"; line 5, after the word "construction," insert the word "improvement"; line 8, after the word "construction," insert the word "improvement"; line 14, after the word "construction," insert the word "improvement"; line 16, after the word "construction," insert the word "improvement"; line 20, after the word "construction," insert the word "improvement"; line 21, after the word "construction," insert the word "improvement."

Page 5, line 6, after the word "constructed," insert the word "improved"; line 11, after the word "construction," insert the word "improvement"; line 20, after the word "constructed," insert the word "improved"; line 22, after the word "constructed," insert the word "improved."

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to the bill for the purpose of offering the amendments referred to. Is there objection?

There was no objection.

The CHAIRMAN. The question now is on agreeing to the amendments.

The amendments were agreed to.

Mr. SHACKLEFORD. Mr. Chairman, I move that the committee do now rise and report the bill as amended to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUCKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7617, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SHACKLEFORD. Mr. Speaker, I ask unanimous consent that the previous question be considered as ordered on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the previous question be considered as ordered on the bill and amendments to final passage. Is there objection?

Mr. MANN. Mr. Speaker, I object to unanimous consent on the previous question at any time.

Mr. SHACKLEFORD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The motion was agreed to and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be engrossed and read the third time; was read the third time.

Mr. HEFLIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. This vote is on the passage of the bill?

The SPEAKER. Yes.

Mr. HEFLIN. I would like to have a roll call and have a yeas-and-nays vote.

The SPEAKER. The gentleman from Alabama demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 283, nays 81, answered "present" 3, not voting 67, as follows:

YEAS—283.

Abercrombie	Crago	Harrison	Leshner
Adamson	Cramton	Hastings	Lever
Alexander	Crisp	Haugen	Lewis
Almon	Crosser	Hawley	Lieb
Anderson	Darrow	Hay	Lindbergh
Anthony	Davenport	Hayden	Linthicum
Ashbrook	Davis, Minn.	Heaton	Littlepage
Ayres	Davis, Tex.	Hefflin	Lloyd
Bailey	Decker	Helgesen	Lobeck
Barchfield	Denison	Helm	London
Barkley	Dent	Helvering	Loud
Barnhart	Dewalt	Henry	McClintic
Beakes	Dickinson	Hensley	McCracken
Bell	Dies	Hernandez	McCulloch
Black	Dill	Hilliard	McGillicuddy
Blackmon	Dillon	Hinds	McKellar
Booher	Dixon	Holland	McKenzie
Borland	Doolittle	Hollingsworth	McKinley
Britt	Doremus	Hood	McLaughlin
Browne, Wis.	Doughton	Hopwood	Madden
Browning	Dowell	Houston	Mapes
Brumbaugh	Driscoll	Howard	Martin
Buchanan, Ill.	Dyer	Howell	Matthews
Buchanan, Tex.	Edwards	Huddleston	Mays
Burgess	Ellsworth	Hughes	Miller, Minn.
Burke	Emerson	Hulbert	Moon
Butler	Esch	Hull, Iowa	Mooney
Byrnes, S. C.	Estopinal	Hull, Tenn.	Moore, Pa.
Byrnes, Tenn.	Evans	Humphrey, Wash.	Moore, Ind.
Callaway	Farr	Humphreys, Miss.	Morgan, La.
Campbell	Fields	Igoe	Morgan, Okla.
Candler, Miss.	Finley	Jacoway	Morin
Cannon	Fordney	Johnson, Ky.	Mudd
Cantrill	Foster	Johnson, S. Dak.	Murray
Caraway	Fuller	Johnson, Wash.	Neely
Carlin	Gandy	Jones	Nelson
Carter, Okla.	Garland	Kearns	Nicholls, S. C.
Cary	Garner	Keating	Nichols, Mich.
Casey	Glass	Kelster	North
Church	Godwin, N. C.	Kelley	Norton
Clark, Fla.	Good	Kennedy, Iowa	Oldfield
Collier	Goodwin, Ark.	Kincheloe	Oliver
Connelly	Gray, Ind.	King	Overmyer
Cooper, W. Va.	Green, Iowa.	Kinkaid	Padgett
Cooper, Wis.	Hadley	Kitchin	Page, N. C.
Copley	Hamilton, Mich.	La Follette	Park
Costello	Hamlin	Langley	Peters
Cox	Hardy	Lee	Pou

Powers	Scott, Mich.	Steenerson	Venable
Price	Scott, Pa.	Stephens, Miss.	Vinson
Quin	Sears	Stephens, Nebr.	Volstead
Rainey	Sells	Sterling	Walker
Raker	Shackleford	Stone	Wason
Ramseyer	Shallenberger	Stout	Watkins
Randall	Sherley	Suloway	Watson, Pa.
Rauch	Sherwood	Summers	Watson, Va.
Rayburn	Shouse	Sweet	Webb
Reavis	Sims	Switzer	Whaley
Ricketts	Sinnott	Taggart	Wheeler
Roberts, Mass.	Sisson	Tavener	Williams, T. S.
Roberts, Nev.	Slomp	Taylor, Ark.	Williams, W. E.
Rodenberg	Sloan	Taylor, Colo.	Williams, Ohio
Rouse	Small	Temple	Wilson, Fla.
Rowland	Smith, Idaho	Thomas	Wilson, La.
Rubey	Smith, Mich.	Thompson	Wingo
Rucker	Smith, N. Y.	Tillman	Wise
Russell, Mo.	Smith, Tex.	Timberlake	Wood, Ind.
Russell, Ohio	Sparkman	Towner	Woods, Iowa
Sabath	Stedman	Tribble	Young, N. Dak.
Saunders	Steele, Iowa	Van Dyke	Young, Tex.
Schall	Steele, Pa.	Vare	

NAYS—81.

Allen	Gallivan	McArthur	Sanford
Bacharach	Gardner	McDermott	Siegel
Bennet	Gillett	Magee	Slayden
Britten	Glynn	Mann	Smith, Minn.
Caldwell	Gordon	Meeker	Snell
Capstick	Gray, N. J.	Miller, Del.	Snyder
Carter, Mass.	Greene, Mass.	Mondell	Stafford
Charles	Greene, Vt.	Moss, Ind.	Stephens, Cal.
Chipherfield	Griffin	Mott	Stephens, Tex.
Coady	Hamilton, N. Y.	Nolan	Stinnes
Coleman	Hart	Oakey	Swift
Conry	Haskell	Olney	Tague
Curry	Hicks	O'Shaunessy	Tilson
Dale, Vt.	Hill	Palge, Mass.	Tinkham
Dallinger	Husted	Parker, N. J.	Treadway
Danforth	James	Phelan	Walsh
Dunn	Kahn	Platt	Wilson, Ill.
Elston	Kennedy, R. I.	Pratt	Winslow
Fitzgerald	Lenrow	Reilly	
Foss	Longworth	Rogers	
Freeman	McAndrews	Rowe	

ANSWERED "PRESENT"—3.

Garrett	Gould	Hayes
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NOT VOTING—67.

Adair	Dupré	Griest	Maher
Aiken	Eagan	Guernsey	Miller, Pa.
Aswell	Eagle	Hamill	Montague
Austin	Edmonds	Hutchinson	Morrison
Beales	Fairchild	Kent	Moss, W. Va.
Brown, W. Va.	Farley	Kettner	Oglesby
Bruckner	Ferris	Key, Ohio	Parker, N. Y.
Burnett	Fess	Kiess, Pa.	Patten
Carew	Flood	Konop	Porter
Chandler, N. Y.	Flynn	Kreider	Ragsdale
Cline	Focht	Lafean	Riordan
Cooper, Ohio	Frear	Lazaro	Scully
Cullop	Gallagher	Lehlbach	Stegall
Dale, N. Y.	Gard	Liebel	Sutherland
Dempsey	Graham	Loft	Talbott
Dooling	Gray, Ala.	McFadden	Ward
Drukker	Gregg	McLemore	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. STEAGALL (for road bill) with Mr. FAIRCHILD (against).
 Mr. FERRIS (for road bill) with Mr. HAMILL (against).
 Mr. GRIEST (for road bill) with Mr. LEHLBACH (against).
 Mr. SCULLY (for road bill) with Mr. PATTEN (against).
 Mr. CULLOP (for road bill) with Mr. MORRISON (against).
 Mr. DUPRÉ (for road bill) with Mr. GOULD (against).
 Mr. AUSTIN (for road bill) with Mr. HUTCHINSON (against).
 Mr. ASWELL (for road bill) with Mr. KENT (against).
 Mr. LAZARO (for road bill) with Mr. DEMPSEY (against).
 Mr. KONOP (for road bill) with Mr. WARD (against).
 Mr. BURNETT with Mr. HAYES.
 Mr. MAHER with Mr. GRAHAM.
 Until further notice:
 Mr. TALBOTT with Mr. BEALES.
 Mr. DOOLING with Mr. MCFADDEN.
 Mr. BRUCKNER with Mr. LAFEAN.
 Mr. DALE of New York with Mr. KIESS of Pennsylvania.
 Mr. CLINE with Mr. KREIDER.
 Mr. LIEBEL with Mr. FOCHT.
 Mr. AIKEN with Mr. EDMONDS.
 Mr. RIORDAN with Mr. MILLER of Pennsylvania.
 Mr. GARRETT with Mr. FESS.
 Mr. ADAIR with Mr. FREAR.
 Mr. BROWN of West Virginia with Mr. MOSS of West Virginia.
 Mr. EAGAN with Mr. PARKER of New York.
 Mr. FLOOD with Mr. GUERNSEY.
 Mr. MONTAGUE with Mr. SUTHERLAND.
 Mr. GREGG with Mr. PORTER.
 Mr. KEY of Ohio with Mr. COOPER of Ohio.
 Mr. GALLAGHER with Mr. DRUKKER.

Mr. GARRETT. Mr. Speaker, I desire to withdraw my vote of "nay" and answer "present," having a pair with the gentleman from Ohio [Mr. FESS].

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to provide that, in order to promote agriculture, afford better facilities for rural transportation and marketing farm products, and encourage the development of a general system of improved highways, the Secretary of Agriculture, on behalf of the United States, shall in certain cases aid the States in the construction, improvement, and maintenance of roads which may be used in the transportation of interstate commerce, military supplies, or postal matters."

On motion of Mr. SHACKLEFORD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SHACKLEFORD. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to extend their remarks in the Record.

The SPEAKER. On this bill?

Mr. SHACKLEFORD. Yes, sir.

The SPEAKER. The gentleman from Missouri asks unanimous consent that all Members shall have five legislative days in which to extend their remarks in the Record on this bill. Is there objection?

There was no objection.

WITHDRAWAL OF PAPERS.

Mr. WILLIAMS of Ohio, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 7728, Sixty-second Congress, first session, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. MILLER of Pennsylvania, by unanimous consent, was granted leave of absence for two days on account of illness in his family.

THE PRINTING BILL.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent that the bill H. R. 8664, known as the printing bill, be given privileged status, with one hour's general debate, subject to preference being given to consideration of appropriation, revenue, and regularly privileged bills, and with the definite agreement that while this bill is being considered it may be displaced at any time for the consideration of any of the aforesaid bills.

The SPEAKER. The gentleman from Indiana [Mr. BARNHART] asks unanimous consent that the bill H. R. 8664, usually known as the printing bill, shall be given privileged status, subject to appropriation bills and other privileged matters, and that the general debate on it be confined to one hour. Is there objection?

Mr. MANN. Reserving the right to object, what is the object in the request in saying that there is a definite agreement that the bill may be displaced by certain other bills when a previous part of the agreement has said that the privileged status is subject to other bills?

Mr. BARNHART. That is a form of emphasis used in Indiana that is not common in Chicago. It is so as to make it clear.

Mr. MANN. It may be used in Indiana, but it would not be in any other civilized portion of the world. That is an agreement that would compel the House against its wish to take up an appropriation bill when it did not want to, which under the rules of the House ought not to be entered into.

The SPEAKER. The Chair did not include that.

Mr. MANN. But I want it eliminated, so that there will be no question about it.

Mr. BARNHART. I want to say to the gentleman from Illinois [Mr. MANN] that this language was submitted to a former parliamentarian of the House, and that was the language in which it was prepared. The purpose of it was to make it clear what this unanimous consent is; and I might explain the purpose is that the bill will not get in the way of any appropriation, revenue, or any privileged bill. When the House has not anything to do we can proceed with the consideration of this bill.

Mr. MANN. There are no privileged bills, practically, except revenue bills, appropriation bills, the reports of the Committees on Accounts, Rules, and so forth. However, the latter does not report bills. I suppose this bill would be a pretty good bill to occupy the rest of the session when we are not considering appropriation bills. I do not think I will object. I think we can make very good use of this bill to head off the gentleman from Missouri [Mr. ALEXANDER] and the gentleman from South Carolina [Mr. LEVER] and various other gentlemen who have administrative measures that they want passed.

The SPEAKER. Is there objection?

Mr. RUSSELL of Missouri. Reserving the right to object—

Mr. FITZGERALD. Mr. Speaker, I reserve the right to object.

Mr. ALEXANDER. I object, Mr. Speaker.

Mr. LEVER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. LEVER. I desire to submit a request for unanimous consent.

The SPEAKER. We have not gotten through with this other one yet.

Mr. LEVER. I understood the gentleman from Missouri [Mr. ALEXANDER] objected.

The SPEAKER. The Chair did not hear him if he did. Does the gentleman from Missouri [Mr. ALEXANDER] object?

Mr. ALEXANDER. I do object.

The SPEAKER. That ends it.

THE WAREHOUSE BILL.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that House bill 9419, known as the warehouse bill, be given a privileged status, with two hours' general debate, subject to the preference being given to appropriation and revenue bills.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent that the warehouse bill be given a privileged status, with two hours' general debate, subject to the conditions imposed as to privileged bills. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I have no objection to the taking up of the bills mentioned by the gentleman from South Carolina [Mr. LEVER] and the gentleman from Indiana [Mr. BARNHART]. I do not know when we are going to have an appropriation bill. It looks as though we would not have any this session until after the fiscal year has expired. [Laughter.] Some gentlemen on this side of the House still would like to be heard in general debate, and we would like to have a little more time on general debate on some bills.

Mr. LEVER. I will say to the gentleman from Illinois, Mr. Speaker, that I am quite willing to modify my request so as to reach an agreement as to the time for general debate. I had hoped that we might be able to get this bill on the floor on Thursday of this week, and if so, if the gentleman would suggest the amount of general debate he would like to have, I think we could easily agree about that before submitting the final request.

Mr. MANN. So far as I am concerned, Mr. Speaker, I would be willing to agree on three hours' debate on this side.

Mr. LEVER. I modify my request, Mr. Speaker, and ask for three hours' general debate instead of two hours. Make it two hours on a side.

Mr. MANN. Oh, no. We have to have some time for general debate.

Mr. LEVER. Then I suggest to the gentleman that we make it five hours, he to have three hours on his side and we two hours.

Mr. MANN. I have no objection to that.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that the warehouse bill, H. R. 9419, be given a privileged status, with five hours' general debate, two hours for the proponents of the bill and three hours for the opposition to the bill.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent that the warehouse bill be given a privileged status, not to interfere with privileged bills and appropriation bills, and that the general debate thereon be limited to five hours, two hours to be controlled by himself and three hours by the gentleman—

Mr. MANN. The gentleman from Iowa [Mr. HAUGEN].

The SPEAKER. From Iowa [Mr. HAUGEN]. Is there objection?

Mr. FITZGERALD. I object, Mr. Speaker. I move that the House do now adjourn.

The SPEAKER. The gentleman from New York objects, and moves that the House do now adjourn.

INCOME-TAX DECISION.

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent that the opinion of the Supreme Court on what is known as the income-tax cases be made a House document, and that 25,000 copies be printed and placed in the folding room to the credit of Members.

Mr. FITZGERALD. I yield to the gentleman.

The SPEAKER. The gentleman from Tennessee [Mr. HULL] asks unanimous consent that the decision of the Supreme Court in the income tax cases, recently delivered, be made a House

document and 25,000 copies printed, to be placed in the folding room to the credit of the Members. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I have no objection whatever to having the act done or as to the number of copies to be printed; but I think a matter of this sort ought to have been introduced this morning as a resolution and referred to the Committee on Printing, so that if it were deemed desirable it could have brought in a report this evening, being privileged, and had it considered. I shall object to all requests of this sort that are not submitted to the Committee on Printing.

The SPEAKER. The gentleman from Illinois objects.

Mr. HULL of Tennessee. Mr. Speaker, will the gentleman reserve his objection for a moment?

Mr. MANN. Certainly.

Mr. HULL of Tennessee. I will say to the gentleman from Illinois that there were so many urgent requests for copies of this decision that I took the matter up with the gentleman from Indiana [Mr. BARNHART], and he inquired of the Printing Office as to the cost of printing the document, and ascertained that it would be a little less than \$200 for printing the number named, and owing to the urgent demand on the part of many Members for copies of this decision I felt constrained to submit this request.

Mr. MANN. I think it will not make any difference as to the time when they would be printed.

The SPEAKER. Does the gentleman from Illinois adhere to his objection?

Mr. MANN. I do.

Mr. HULL of Tennessee. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD by printing the decision to which I have referred.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the CONGRESSIONAL RECORD by printing the decision of the Supreme Court referred to. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I shall not object to the request. I think that is perfectly proper. I think that there ought to be a House document and a Senate document printed.

The SPEAKER. Is there objection?

There was no objection.

Following is the decision referred to:

SUPREME COURT OF THE UNITED STATES.

(No. 140. October Term, 1915.)

FRANK R. BRUSHABER, APPELLANT, V. UNION PACIFIC RAILROAD CO. APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

(Jan. 24, 1916.)

Mr. Chief Justice White delivered the opinion of the court.

"As a stockholder of the Union Pacific Railroad Co. the appellant filed his bill to enjoin the corporation from complying with the income-tax provisions of the tariff act of October 3, 1913 (Sec. II, ch. 16, 38 Stat., 166). Because of constitutional questions duly arising the case is here on direct appeal from a decree sustaining a motion to dismiss because no ground for relief was stated.

"The right to prevent the corporation from returning and paying the tax was based upon many averments as to the repugnancy of the statute to the Constitution of the United States, of the peculiar relation of the corporation to the stockholders and their particular interests resulting from any of the administrative provisions of the assailed act, of the confusion, wrong, and multiplicity of suits and the absence of all means of redress which would result if the corporation paid the tax and complied with the act in other respects without protest, as it was alleged it was its intention to do. To put out of the way a question of jurisdiction we at once say that in view of these averments and the ruling in *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429), sustaining the right of a stockholder to sue to restrain a corporation under proper averments from voluntarily paying a tax charged to be unconstitutional on the ground that to permit such a suit did not violate the prohibitions of section 3224, Revised Statutes, against enjoining the enforcement of taxes, we are of opinion that the contention here made that there was no jurisdiction of the cause since to entertain it would violate the provisions of the Revised Statutes referred to is without merit. Before coming to dispose of the case on the merits, however, we observe that the defendant corporation having called the attention of the Government to the pendency of the cause and the nature of the controversy and its unwillingness to voluntarily refuse to comply with the act assailed, the United States as *amicus curiæ* has at bar been heard both orally and by brief for the purpose of sustaining the decree.

"Aside from averments as to citizenship and residence, recitals as to the provisions of the statute and statements as to the business of the corporation contained in the first 10 paragraphs of the bill advanced to sustain jurisdiction, the bill alleged 21 constitutional objections specified in that number of paragraphs or subdivisions. As all the grounds assert a violation of the Constitution it follows that in a wide sense they all charge a repugnancy of the statute to the sixteenth amendment under the more immediate sanction of which the statute was adopted.

"The various propositions are so intermingled as to cause it to be difficult to classify them. We are of opinion, however, that the confusion is not inherent, but rather arises from the conclusion that the sixteenth amendment provides for a hitherto unknown power of taxation; that is, a power to levy an income tax which although direct should not be subject to the regulation of apportionment applicable to all other direct taxes. And the far-reaching effect of this erroneous assumption will be made clear by generalizing the many contentions advanced in argument to support it, as follows: (a) The amendment authorizes only a particular character of direct tax without apportionment, and therefore if a tax is levied under its assumed authority which does not partake of the characteristics exacted by the amendment it is outside of the amendment and is void as a direct tax in the general constitutional sense because not apportioned. (b) As the amendment authorizes a tax only upon incomes 'from whatever source derived,' the exclusion from taxation of some income of designated persons and classes is not authorized and hence the constitutionality of the law must be tested by the general provisions of the Constitution as to taxation, and thus again the tax is void for want of apportionment. (c) As the right to tax 'incomes from whatever source derived' for which the amendment provides must be considered as exacting intrinsic uniformity, therefore no tax comes under the authority of the amendment not conforming to such standard, and hence all the provisions of the assailed statute must once more be tested solely under the general and preexisting provisions of the Constitution, causing the statute again to be void in the absence of apportionment. (d) As the power conferred by the amendment is new and prospective the attempt in the statute to make its provisions retroactively apply is void, because so far as the retroactive period is concerned it is governed by the preexisting constitutional requirement as to apportionment.

"But it clearly results that the proposition and the contentions under it, if acceded to, would cause one provision of the Constitution to destroy another; that is, they would result in bringing the provisions of the amendment exempting a direct tax from apportionment into irreconcilable conflict with the general requirement that all direct taxes be apportioned. Moreover, the tax authorized by the amendment, being direct, would not come under the rule of uniformity applicable under the Constitution to other than direct taxes, and thus it would come to pass that the result of the amendment would be to authorize a particular direct tax not subject either to apportionment or to the rule of geographical uniformity, thus giving power to impose a different tax in one State or States than was levied in another State or States. This result instead of simplifying the situation and making clear the limitations on the taxing power, which obviously the amendment must have been intended to accomplish, would create radical and destructive changes in our constitutional system and multiply confusion.

"But let us by a demonstration of the error of the fundamental proposition as to the significance of the amendment dispel the confusion necessarily arising from the arguments deduced from it. Before coming, however, to the text of the amendment, to the end that its significance may be determined in the light of the previous legislative and judicial history of the subject with which the amendment is concerned and with a knowledge of the conditions which presumptively led up to its adoption and hence of the purpose it was intended to accomplish, we make a brief statement on those subjects.

"That the authority conferred upon Congress by section 8 of Article I, 'to lay and collect taxes, duties, imposts, and excises,' is exhaustive and embraces every conceivable power of taxation has never been questioned, or, if it has, has been so often authoritatively declared as to render it necessary only to state the doctrine. And it has also never been questioned from the foundation, without stopping presently to determine under which of the separate headings the power was properly to be classed, that there was authority given, as the part was included in the whole, to lay and collect income taxes. Again it has never, moreover, been questioned that the conceded complete and all-embracing taxing power was subject, so far as they were respectively applicable, to limitations resulting from the requirements of Article I, section 8, clause 1, that 'all duties, imposts, and excises shall be uniform throughout the United

States,' and to the limitations of Article I, section 2, clause 3, that 'direct taxes shall be apportioned among the several States,' and of Article I, section 9, clause 4, that 'no capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.' In fact, the two great subdivisions embracing the complete and perfect delegation of the power to tax and the two correlated limitations as to such power were thus aptly stated by Mr. Chief Justice Fuller in *Pollock v. Farmers' Loan & Trust Co.*, supra, at page 557: 'In the matter of taxation, the Constitution recognizes the two great classes of direct and indirect taxes, and lays down two rules by which their imposition must be governed, namely, the rule of apportionment as to direct taxes and the rule of uniformity as to duties, imposts, and excises.' It is to be observed, however, as long ago pointed out in *Veazie Bank v. Fenno* (8 Wall., 533, 541), that the requirement of apportionment as to one of the great classes and of uniformity as to the other class were not so much a limitation upon the complete and all-embracing authority to tax, but in their essence were simply regulations concerning the mode in which the plenary power was to be exerted. In the whole history of the Government down to the time of the adoption of the sixteenth amendment, leaving aside some conjectures expressed of the possibility of a tax lying intermediate between the two great classes and embraced by neither, no question has been anywhere made as to the correctness of these propositions. At the very beginning, however, there arose differences of opinion concerning the criteria to be applied in determining in which of the two great subdivisions a tax would fall. Without pausing to state at length the basis of these differences and the consequences which arose from them, as the whole subject was elaborately reviewed in *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429; 158 U. S., 601), we make a condensed statement which is, in substance, taken from what was said in that case. Early the differences were manifested in pressing on the one hand and opposing on the other the passage of an act levying a tax without apportionment on carriages 'for the conveyance of persons,' and when such a tax was enacted the question of its repugnancy to the Constitution soon came to this court for determination. (*Hylton v. United States*, 3 Dall., 171.) It was held that the tax came within the class of excises, duties, and imposts, and therefore did not require apportionment, and while this conclusion was agreed to by all the members of the court who took part in the decision of the case, there was not an exact coincidence in the reasoning by which the conclusion was sustained. Without stating the minor differences, it may be said with substantial accuracy that the divergent reasoning was this: On the one hand, that the tax was not in the class of direct taxes requiring apportionment, because it was not levied directly on property because of its ownership, but rather on its use, and was, therefore, an excise, duty, or impost; and, on the other, that in any event the class of direct taxes included only taxes directly levied on real estate because of its ownership.

"Putting out of view the difference of reasoning which led to the concurrent conclusion in the *Hylton* case, it is undoubted that it came to pass in legislative practice that the line of demarcation between the two great classes of direct taxes on the one hand and excises, duties, and imposts on the other, which was exemplified by the ruling in that case, was accepted and acted upon. In the first place, this is shown by the fact that wherever—and there were a number of cases of that kind—a tax was levied directly on real estate or slaves because of ownership it was treated as coming within the direct class, and apportionment was provided for, while no instance of apportionment as to any other kind of tax is afforded. Again, the situation is aptly illustrated by the various acts taxing incomes derived from property of every kind and nature which were enacted beginning in 1861 and lasting during what may be termed the Civil War period. It is not disputable that these latter taxing laws were classed under the head of excises, duties, and imposts, because it was assumed that they were of that character, inasmuch as, although putting a tax burden on income of every kind, including that derived from property, real or personal, they were not taxes directly on property because of its ownership. And this practical construction came in theory to be the accepted one, since it was adopted without dissent by the most eminent of the text-writers. (1 Kent, Com., 254, 256; 1 Story Const., sec. 955; Cooley Const. Lim. (5th ed.), *480; Miller on the Constitution, 237; Pomeroy's Const. Law, sec. 281; Hare Const. Law, vol. 1, 249, 250; Burroughs on Taxation, 502; Ordronaux, Const. Leg., 225.)

"Upon the lapsing of a considerable period after the repeal of the income-tax laws referred to, in 1894 an act was passed laying a tax on incomes from all classes of property and other sources of revenue which was not apportioned, and which, there-

fore, was, of course, assumed to come within the classification of excises, duties, and imposts which were subject to the rule of uniformity but not to the rule of apportionment. The constitutional validity of this law was challenged on the ground that it did not fall within the class of excises, duties, and imposts, but was direct in the constitutional sense, and was therefore void for want of apportionment; and that question came to this court and was passed upon in *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429; 158 U. S., 601). The court, fully recognizing in the passage which we have previously quoted the all-embracing character of the two great classifications, including, on the one hand, direct taxes subject to apportionment, and, on the other, excises, duties, and imposts subject to uniformity, held the law to be unconstitutional in substance for these reasons: Concluding that the classification of direct was adopted for the purpose of rendering it impossible to burden by taxation accumulations of property, real or personal, except subject to the regulation of apportionment, it was held that the duty existed to fix what was a direct tax in the constitutional sense so as to accomplish this purpose contemplated by the Constitution. (157 U. S., 581.) Coming to consider the validity of the tax from this point of view, while not questioning at all that in common understanding it was direct merely on income and only indirect on property, it was held that considering the substance of things it was direct on property in a constitutional sense, since to burden an income by a tax was, from the point of substance, to burden the property from which the income was derived and thus accomplish the very thing which the provision as to apportionment of direct taxes was adopted to prevent. As this conclusion but enforced a regulation as to the mode of exercising power under particular circumstances, it did not in any way dispute the all-embracing taxing authority possessed by Congress, including necessarily therein the power to impose income taxes if only they conformed to the constitutional regulations which were applicable to them. Moreover, in addition, the conclusion reached in the *Pollock* case did not in any degree involve holding that income taxes generically and necessarily came within the class of direct taxes on property, but, on the contrary, recognized the fact that taxation on income was in its nature an excise entitled to be enforced as such unless and until it was concluded that to enforce it would amount to accomplishing the result which the requirement as to apportionment of direct taxation was adopted to prevent, in which case the duty would arise to disregard form and consider substance alone, and hence subject the tax to the regulation as to apportionment, which otherwise as an excise would not apply to it. Nothing could serve to make this clearer than to recall that in the *Pollock* case, in so far as the law taxed incomes from other classes of property than real estate and invested personal property—that is, income from 'professions, trades, employments, or vocations' (158 U. S., 637)—its validity was recognized; indeed, it was expressly declared that no dispute was made upon that subject, and attention was called to the fact that taxes on such income had been sustained as excise taxes in the past. (Id., p. 635.) The whole law was, however, declared unconstitutional on the ground that to permit it to thus operate would relieve real estate and invested personal property from taxation and 'would leave the burden of the tax to be borne by professions, trades, employments, or vocations, and in that way what was intended as a tax on capital would remain, in substance, a tax on occupations and labor' (ib., p. 637), a result which it was held could not have been contemplated by Congress.

"This is the text of the amendment:

"The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

"It is clear on the face of this text that it does not purport to confer power to levy income taxes in a generic sense—an authority already possessed and never questioned—or to limit and distinguish between one kind of income taxes and another, but that the whole purpose of the amendment was to relieve all income taxes when imposed from apportionment from a consideration of the source whence the income was derived. Indeed in the light of the history which we have given and of the decision in the *Pollock* case and the ground upon which the ruling in that case was based, there is no escape from the conclusion that the amendment was drawn for the purpose of doing away for the future with the principle upon which the *Pollock* case was decided; that is, of determining whether a tax on income was direct not by a consideration of the burden placed on the taxed income upon which it directly operated, but by taking into view the burden which resulted on the property from which the income was derived, since in express

terms the amendment provides that income taxes, from whatever source the income may be derived, shall not be subject to the regulation of apportionment. From this, in substance, it indisputably arises, first, that all the contentions which we have previously noticed concerning the assumed limitations to be implied from the language of the amendment as to the nature and character of the income taxes which it authorizes find no support in the text and are in irreconcilable conflict with the very purpose which the amendment was adopted to accomplish. Second, that the contention that the amendment treats a tax on income as a direct tax although it is relieved from apportionment and is necessarily therefore not subject to the rule of uniformity, as such rule only applies to taxes which are not direct, thus destroying the two great classifications which have been recognized and enforced from the beginning, is also wholly without foundation since the command of the amendment, that all income taxes shall not be subject to apportionment by a consideration of the sources from which the taxed income may be derived, forbids the application to such taxes of the rule applied in the *Pollock* case by which alone such taxes were removed from the great class of excises, duties, and imposts subject to the rule of uniformity and were placed under the other or direct class. This must be unless it can be said that although the Constitution, as a result of the amendment, in express terms excludes the criterion of source of income, that criterion yet remains for the purpose of destroying the classifications of the Constitution by taking an excise out of the class to which it belongs and transferring it to a class in which it can not be placed consistently with the requirements of the Constitution. Indeed, from another point of view, the amendment demonstrates that no such purpose was intended and, on the contrary, shows that it was drawn with the object of maintaining the limitations of the Constitution and harmonizing their operation. We say this because it is to be observed that although from the date of the *Hylton* case, because of statements made in the opinions in that case, it had come to be accepted that direct taxes in the constitutional sense were confined to taxes levied directly on real estate because of its ownership, the amendment contains nothing repudiating or challenging the ruling in the *Pollock* case that the word direct had a broader significance since it embraced also taxes levied directly on personal property because of its ownership, and therefore the amendment at least impliedly makes such wider significance a part of the Constitution—a condition which clearly demonstrates that the purpose was not to change the existing interpretation except to the extent necessary to accomplish the result intended; that is, the prevention of the resort to the sources from which a taxed income was derived in order to cause a direct tax on the income to be a direct tax on the source itself, and thereby to take an income tax out of the class of excises, duties, and imposts and place it in the class of direct taxes.

"We come, then, to ascertain the merits of the many contentions made in the light of the Constitution as it now stands; that is to say, including within its terms the provisions of the sixteenth amendment as correctly interpreted. We first dispose of two propositions assailing the validity of the statute on the one hand because of its repugnancy to the Constitution in other respects, and especially because its enactment was not authorized by the sixteenth amendment.

"The statute was enacted October 3, 1913, and provided for a general yearly income tax from December to December of each year. Exceptionally, however, it fixed a first period embracing only the time from March 1 to December 31, 1913, and this limited retroactivity is assailed as repugnant to the due-process clause of the fifth amendment and as inconsistent with the sixteenth amendment itself. But the date of the retroactivity did not extend beyond the time when the amendment was operative, and there can be no dispute that there was power by virtue of the amendment during that period to levy the tax, without apportionment, and so far as the limitations of the Constitution in other respects are concerned, the contention is not open, since in *Stockdale v. Insurance Companies* (20 Wall., 323, 331), in sustaining a provision in a prior income-tax law which was assailed because of its retroactive character, it was said:

"The right of Congress to have imposed this tax by a new statute, although the measure of it was governed by the income of the past year, can not be doubted; much less can it be doubted that it could impose such a tax on the income of the current year, though part of that year had elapsed when the statute was passed. The joint resolution of July 4, 1864, imposed a tax of 5 per cent upon all income of the previous year, although one tax on it had already been paid, and no one doubted the validity of the tax or attempted to resist it.

"The statute provides that the tax should not apply to enumerated organizations or corporations, such as labor, agricultural, or horticultural organizations, mutual savings banks, etc.,

and the argument is that as the amendment authorized a tax on incomes 'from whatever source derived,' by implication it excluded the power to make these exemptions. But this is only a form of expressing the erroneous contention as to the meaning of the amendment, which we have already disposed of. And so far as this alleged illegality is based on other provisions of the Constitution, the contention is also not open, since it was expressly considered and disposed of in *Flint v. Stone Tracy Co.* (220 U. S., 108, 173).

"Without expressly stating all the other contentions, we summarize them to a degree adequate to enable us to typify and dispose of all of them.

"1. The statute levies one tax called a normal tax on all incomes of individuals up to \$20,000 and from that amount up by gradations, a progressively increasing tax called an additional tax, is imposed. No tax, however, is levied upon incomes of unmarried individuals amounting to \$3,000 or less nor upon incomes of married persons amounting to \$4,000 or less. The progressive tax and the exempted amounts, it is said, are based on wealth alone, and the tax is therefore repugnant to the due-process clause of the fifth amendment.

"2. The act provides for collecting the tax at the source—that is, makes it the duty of corporations, etc., to retain and pay the sum of the tax on interest due on bonds and mortgages, unless the owner to whom the interest is payable gives a notice that he claims an exemption. This duty cast upon corporations, because of the cost to which they are subjected, is asserted to be repugnant to due process of law as a taking of their property without compensation, and we recapitulate various contentions as to discrimination against corporations and against individuals predicated on provisions of the act dealing with the subject:

"(a) Corporations indebted upon coupon and registered bonds are discriminated against, since corporations not so indebted are relieved of any labor or expense involved in deducting and paying the taxes of individuals on the income derived from bonds.

"(b) Of the class of corporations indebted as above stated, the law further discriminates against those which have assumed the payment of taxes on their bonds, since although some or all of their bondholders may be exempt from taxation, the corporations have no means of ascertaining such fact, and it would therefore result that taxes would often be paid by such corporations when no taxes were owing by the individuals to the Government.

"(c) The law discriminates against owners of corporate bonds in favor of individuals none of whose income is derived from such property, since bondholders are, during the interval between the deducting and the paying of the tax on their bonds, deprived of the use of the money so withheld.

"(d) Again corporate bondholders are discriminated against because the law does not release them from payment of taxes on their bonds even after the taxes have been deducted by the corporation, and therefore if after deduction the corporation should fail, the bondholders would be compelled to pay the tax a second time.

"(e) Owners of bonds the taxes on which have been assumed by the corporation are discriminated against, because the payment of the taxes by the corporation does not relieve the bondholders of their duty to include the income from such bonds in making a return of all income, the result being a double payment of the taxes, labor and expense in applying for a refund, and a deprivation of the use of the sum of the taxes during the interval which elapses before they are refunded.

"3. The provision limiting the amount of interest paid which may be deducted from gross income of corporations for the purpose of fixing the taxable income to interest on indebtedness not exceeding one-half the sum of bonded indebtedness and paid-up capital stock, is also charged to be wanting in due process because discriminating between different classes of corporations and individuals.

"4. It is urged that want of due process results from the provision allowing individuals to deduct from their gross income dividends paid them by corporations whose incomes are taxed and not giving such right of deduction to corporations.

"5. Want of due process is also asserted to result from the fact that the act allows a deduction of \$3,000 or \$4,000 to those who pay the normal tax; that is, whose incomes are \$20,000 or less, and does not allow the deduction to those whose incomes are greater than \$20,000; that is, such persons are not allowed for the purpose of the additional or progressive tax a second right to deduct the \$3,000 or \$4,000 which they have already enjoyed. And a further violation of due process is based on the fact that for the purpose of the additional tax no second right to deduct dividends received from corporations is permitted.

"6. In various forms of statement want of due process, it is, moreover, insisted, arises from the provisions of the act allowing a deduction for the purpose of ascertaining the taxable income of stated amounts on the ground that the provisions discriminate between married and single people and discriminate between husbands and wives who are living together and those who are not.

"7. Discrimination and want of due process results, it is said, from the fact that the owners of houses in which they live are not compelled to estimate the rental value in making up their incomes, while those who are living in rented houses and pay rent are not allowed, in making up their taxable income, to deduct rent which they have paid, and that want of due process also results from the fact that although family expenses are not as a rule permitted to be deducted from gross to arrive at taxable income, farmers are permitted to omit from their income return certain products of the farm which are susceptible of use by them for sustaining their families during the year.

"So far as these numerous and minute, not to say in many respects hypercritical, contentions are based upon an assumed violation of the uniformity clause, their want of legal merit is at once apparent, since it is settled that that clause exacts only a geographical uniformity, and there is not a semblance of ground in any of the propositions for assuming that a violation of such uniformity is complained of. (*Knowlton v. Moore*, 178 U. S., 41; *Patton v. Brady*, 184 U. S., 608, 622; *Flint v. Stone Tracy Co.*, 220 U. S., 107, 158; *Billings v. United States*, 232 U. S., 608, 622.)

"So far as the due-process clause of the fifth amendment is relied upon, it suffices to say that there is no basis for such reliance, since it is equally well settled that such clause is not a limitation upon the taxing power conferred upon Congress by the Constitution; in other words, that the Constitution does not conflict with itself by conferring upon the one hand a taxing power and taking the same power away on the other by the limitations of the due-process clause. (*Treat v. White*, 181 U. S., 264; *Patton v. Brady*, 184 U. S., 608; *McCray v. United States*, 195 U. S., 27, 61; *Flint v. Stone Tracy Co.*, supra; *Billings v. United States*, 232 U. S., 261, 282.) And no change in the situation here would arise even if it be conceded, as we think it must be, that this doctrine would have no application in a case where although there was a seeming exercise of the taxing power, the act complained of was so arbitrary as to constrain to the conclusion that it was not the exertion of taxation but a confiscation of property; that is, a taking of the same in violation of the fifth amendment, or, what is equivalent thereto, was so wanting in basis for classification as to produce such a gross and patent inequality as to inevitably lead to the same conclusion. We say this because none of the propositions relied upon in the remotest degree present such questions.

"It is true that it is elaborately insisted that although there be no express constitutional provision prohibiting it, the progressive feature of the tax causes it to transcend the conception of all taxation and to be a mere arbitrary abuse of power which must be treated as wanting in due process. But the proposition disregards the fact that in the very early history of the Government a progressive tax was imposed by Congress and that such authority was exerted in some if not all of the various income taxes enacted prior to 1894 to which we have previously adverted. And over and above all this the contention but disregards the further fact that its absolute want of foundation in reason was plainly pointed out in *Knowlton v. Moore*, supra, and the right to urge it was necessarily foreclosed by the ruling in that case made. In this situation it is, of course, superfluous to say that arguments as to the expediency of levying such taxes or of the economic mistake or wrong involved in their imposition are beyond judicial cognizance. Besides this demonstration of the want of merit in the contention based upon the progressive feature of the tax, the error in the others is equally well established either by prior decisions or by the adequate bases for classification which are apparent on the face of the assailed provisions; that is, the distinction between individuals and corporations, the difference between various kinds of corporations, etc. (*Knowlton v. Moore*, supra; *Flint v. Stone Tracy Co.*, supra; *Billings v. United States*, supra; *National Bank v. Commonwealth* (9 Wall., 353); *National Safe Deposit Co. v. Illinois* (232 U. S., 58, 70). In fact, comprehensively surveying all the contentions relied upon, aside from the erroneous construction of the amendment which we have previously disposed of, we can not escape the conclusion that they all rest upon the mistaken theory that although there be differences between the subjects taxed, to differently tax them transcends the limit of taxation and amounts to a want of due process, and that where a tax levied is believed by one who resists its enforcement to be wanting in wisdom and to operate injustice, from that fact in

the nature of things there arises a want of due process of law and a resulting authority in the judiciary to exceed its powers and correct what is assumed to be mistaken or unwise exertions by the legislative authority of its lawful powers, even although there be no semblance of warrants in the Constitution for so doing.

"We have not referred to a contention that because certain administrative powers to enforce the act were conferred by the statute upon the Secretary of the Treasury, therefore it was void as unwarrantedly delegating legislative authority, because we think to state the proposition is to answer it. *Field v. Clark* (143 U. S., 649); *Buttfield v. Stranahan* (192 U. S., 470, 496); *Oceanic Steam Navigation Co. v. Stranahan* (214 U. S., 320)."

Affirmed.

Mr. Justice McReynolds took no part in the consideration and decision of this case.

CHANGE OF REFERENCE—H. R. 391.

Mr. NORTON. Mr. Speaker, I ask unanimous consent for a change of reference of the bill H. R. 391, from the Committee on Agriculture to the Committee on Banking and Currency.

The SPEAKER. What is it about?

Mr. NORTON. It is a bill relating to rural credits.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that the bill H. R. 391, on rural credits, be taken from the Committee on Agriculture and referred to the Committee on Banking and Currency. Is there objection?

There was no objection.

ADJOURNMENT.

The SPEAKER. The gentleman from New York [Mr. Fitzgerald] moves that the House adjourn. The question is on agreeing to that motion.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 26, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a memorandum by the Chief of Staff, relative to the modification of the legislative provision covering the employment of skilled draftsmen in the office of the Chief of Ordnance of the Army, contained on page 72 of the Book of Estimates for the fiscal year 1917 (H. Doc. No. 614); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Savannah River, at Augusta, Ga., between the upper lines of the city limits of the city of Augusta and the mouth of Butlers Creek (H. Doc. No. 615); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of War, submitting suggestions for amendment of H. R. 8499, directing the Secretary of War to transfer to the Secretary of the Navy a dredge from the Panama Canal for use at Guam (H. Doc. No. 616); to the Committee on Military Affairs and ordered to be printed.

4. A letter from the Secretary of the Navy, submitting an amendment to estimates of appropriations for "Salaries, Bureau of Ordnance, Navy Department, 1917" (H. Doc. No. 617); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, submitting an item of legislation to enable the department to pay claims reopened and allowed, in suits to recover excise taxes paid under the act of August 5, 1909 (H. Doc. No. 618); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 4786) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed, reported the same with amendment, accompanied by a report (No. 67), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 193) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States, reported the same with amendment, accompanied by a report (No. 74), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LEWIS, from the Committee on Labor, to which was referred the bill (H. R. 6871) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory, reported the same without amendment, accompanied by a report (No. 75), which said bill and report were referred to the House Calendar.

Mr. JONES, from the Committee on Insular Affairs, to which was referred the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, reported the same without amendment, accompanied by a report (No. 77), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PETERS, from the Committee on Claims, to which was referred the bill (H. R. 4530) for the relief of Michael F. O'Hare, reported the same with amendment, accompanied by a report (No. 68), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 4881) to reimburse the postmaster at Kegg, Pa., for money and stamps taken by burglars, reported the same without amendment, accompanied by a report (No. 69), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 8318) for the relief of De Barbieri & Co., of Valparaiso, Chile, reported the same without amendment, accompanied by a report (No. 70), which said bill and report were referred to the Private Calendar.

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 5835) for the relief of James Stanton, reported the same with amendment, accompanied by a report (No. 71), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 7248) for the relief of the United States Drainage & Irrigation Co., reported the same without amendment, accompanied by a report (No. 72), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL of Missouri, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 10037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 76), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 2819) for the relief of Francis H. Connelly, reported the same adversely, accompanied by a report (No. 73), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1436) granting a pension to Francis I. Helm, alias Francis Boyd; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2784) granting a pension to Charles Diesron; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3962) granting an increase of pension to John J. Stanley; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7147) granting an increase of pension to William C. Ramsey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McKELLAR: A bill (H. R. 10012) regulating shipments of freight to foreign ports and prohibiting discrimination in the receipt and shipment of such freight; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDS: A bill (H. R. 10013) to provide for the licensing of American boys at the age of 19 years; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGUE: A bill (H. R. 10014) to grant official recognition to the organizations of employees in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. FLOOD: A bill (H. R. 10015) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's combined post-marking and stamp-canceling hand-stamp patents or otherwise; to the Committee on the Post Office and Post Roads.

By Mr. ALEXANDER: A bill (H. R. 10016) to amend section 14 of the seamen's act of March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGGART: A bill (H. R. 10017) to amend section 5146 of the Revised Statutes of the United States; to the Committee on Banking and Currency.

By Mr. JOHNSON of Washington: A bill (H. R. 10018) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes; to the Committee on the Public Lands.

By Mr. HEATON: A bill (H. R. 10019) for the remodeling of the United States Federal building at Pottsville, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 10020) regulating the compensation of stationary firemen employed in Federal Government buildings in the United States; to the Committee on Expenditures on Public Buildings.

Also, a bill (H. R. 10021) to amend section 715 of the Revised Statutes, as amended by act of Congress of March 3, 1905; to the Committee on the Judiciary.

By Mr. KREIDER: A bill (H. R. 10022) authorizing the Secretary of War to donate to the city of Lebanon, in the State of Pennsylvania, four bronze cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 10023) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Jeffersonville, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 10024) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Bellbrook, Ohio; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 10025) to create an athletic commission and to legalize boxing in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LOUD: A bill (H. R. 10026) to amend sections 2, 13, and 14 of an act entitled "An act to promote the welfare of American seamen," etc., approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. MAYES: A bill (H. R. 10028) to amend section 1 of the act to regulate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIBBLE: A bill (H. R. 10029) to repeal an act entitled "An act to regulate and improve the civil service of the United States"; to the Committee on the Judiciary.

By Mr. WHEELER: A bill (H. R. 10030) for the reduction of the rate of postage chargeable on first-class mail matter for local delivery; to the Committee on the Post Office and Post Roads.

By Mr. PORTER: A bill (H. R. 10031) authorizing and directing the managers of the soldiers' homes to designate and set aside one of the homes for the exclusive use of the widows of soldiers and sailors; to the Committee on Military Affairs.

Also, a bill (H. R. 10032) to authorize the construction of a bridge across the Ohio River from a point on its banks, in the city of Pittsburgh, Pa., at or near the locality known as Woods Run, to a point on the opposite shore of said river within the borough of McKees Rocks, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: A bill (H. R. 10033) to amend an act entitled "An act to reduce tariff duties and to provide revenues for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

Also, a bill (H. R. 10034) to amend an act entitled "An act to reduce tariff duties and to provide revenues for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

Also, a bill (H. R. 10035) to amend an act entitled "An act to reduce tariff duties and to provide revenues for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

By Mr. BLACKMON: A bill (H. R. 10036) to construct a public building for a post office in the city of Sylacauga, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 10038) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. AYRES: Resolution (H. Res. 104) asking for the appointment of five Members to investigate the Yucatan Sisal Trust; to the Committee on Rules.

By Mr. SCOTT of Pennsylvania: Joint resolution (H. J. Res. 118) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. Sisson: Joint resolution (H. J. Res. 119) directing the Attorney General of the United States to submit to the Supreme Court all information available bearing upon the validity of the fourteenth and fifteenth amendments to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. EDMONDS: Concurrent resolution (H. Con. Res. 12) providing for the printing of 10,000 copies of the report of the medico-military aspects of the European war; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. RUSSELL of Missouri: A bill (H. R. 10037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ALEXANDER: A bill (H. R. 10039) granting a pension to William B. Hampshire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10040) granting an increase of pension to Hepsiba Fisk; to the Committee on Invalid Pensions.

By Mr. ALMON: A bill (H. R. 10041) granting an increase of pension to Fredrick F. Pfaff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10042) granting an increase of pension to Charles M. Stebbins; to the Committee on Pensions.

Also, a bill (H. R. 10043) granting a pension to Hugh G. Smelcer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10044) granting a pension to Robert G. Sharp; to the Committee on Invalid Pensions.

By Mr. BROWNE of Wisconsin: A bill (H. R. 10045) granting an increase of pension to Alfred S. Gates; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 10046) granting a pension to Thomas J. Reynolds; to the Committee on Pensions.

Also, a bill (H. R. 10047) granting a pension to Ortha A. Glanville; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 10048) granting an increase of pension to Prudie Duncan; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 10049) for the relief of Capt. Harvey H. Young; to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 10050) granting a pension to John H. Yount; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10051) granting a pension to Miner Howard; to the Committee on Pensions.

Also, a bill (H. R. 10052) to reimburse J. T. Nance; to the Committee on Claims.

By Mr. FARR: A bill (H. R. 10053) granting a pension to William A. Phillips; to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 10054) for the relief of the estate of R. W. Elsom; to the Committee on Claims.

By Mr. GANDY: A bill (H. R. 10055) granting a pension to Franklin R. Albert; to the Committee on Pensions.

Also, a bill (H. R. 10056) granting an increase of pension to Ansel T. Ware; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 10057) granting a pension to Carolina Dollen; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10058) to increase the provisions of an act granting lands to aid in the construction of certain railroads and telegraph lines in the State of California, approved July 25, 1866, and its amendments; to the Committee on the Public Lands.

By Mr. HELVERING: A bill (H. R. 10059) granting an increase of pension to Frederick Volkman; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 10060) granting a pension to Edith V. Bowman; to the Committee on Pensions.

By Mr. KELLEY: A bill (H. R. 10061) granting a pension to Schuyler Van Tassel; to the Committee on Pensions.

Also, a bill (H. R. 10062) granting a pension to Joseph F. Mattson; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 10063) to satisfy the findings of the Court of Claims in the claim of Annie M. Bradshaw, Beulah B. Dingle, Clara Belle Bergeron, and George William Bradshaw, heirs of William H. Bradshaw, deceased; to the Committee on Claims.

By Mr. LITTLEPAGE: A bill (H. R. 10064) granting a pension to J. E. Haws; to the Committee on Pensions.

By Mr. MEEKER: A bill (H. R. 10065) granting a pension to George C. Emmert; to the Committee on Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 10066) granting an increase of pension to Eliza Smith; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 10067) for the relief of Mrs. Thomas S. Ferral; to the Committee on War Claims.

By Mr. OAKLEY: A bill (H. R. 10068) granting an increase of pension to Julia Rosenthal; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 10069) for the relief of Mary Ella Fales; to the Committee on Claims.

Also, a bill (H. R. 10070) granting a pension to Henry Matteson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10071) granting a pension to Mary Matteson; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 10072) granting a pension to Frederick M. Hohmann; to the Committee on Pensions.

Also, a bill (H. R. 10073) granting a pension to J. George Mehringer; to the Committee on Pensions.

Also, a bill (H. R. 10074) granting a pension to Henry Jordan; to the Committee on Pensions.

Also, a bill (H. R. 10075) granting a pension to Bradford S. Donahugh; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 10076) granting a pension to Peter Dell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10077) granting an increase of pension to Azariah Rankin; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 10078) granting a pension to Harry A. Leonard; to the Committee on Pensions.

Also, a bill (H. R. 10079) granting a pension to Charles H. Avery; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 10080) granting an increase of pension to James Robinson; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 10081) granting a pension to Thomas E. Rector; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 10082) granting an increase of pension to George S. Griffin; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 10083) for the relief of the members of the American section of the International Waterways Commission; to the Committee on Claims.

By Mr. SMITH of Texas (by request): A bill (H. R. 10084) for the relief of Sarah Jane Thornton; to the Committee on Claims.

By Mr. SUTHERLAND: A bill (H. R. 10085) for the relief of James Johnson; to the Committee on Military Affairs.

By Mr. TAGGART: A bill (H. R. 10086) granting an increase of pension to Aaron Hess; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 10087) granting an increase of pension to Aaron A. Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10088) granting an increase of pension to Sanford R. Bryant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10089) granting an increase of pension to Stephen F. Cassaday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10090) granting an increase of pension to John S. Tanner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10091) granting an increase of pension to Helen Dannat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10092) granting an increase of pension to Joseph G. Austin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10093) granting an increase of pension to George T. Talley; to the Committee on Pensions.

Also, a bill (H. R. 10094) granting a pension to Sallie F. Oates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10095) granting a pension to Belle Shannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10096) granting a pension to Nannie Z. Penrod; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10097) granting a pension to Eugene Wooten; to the Committee on Pensions.

Also, a bill (H. R. 10098) granting an increase of pension to Joseph A. Whalin; to the Committee on Pensions.

By Mr. TILSON: A bill (H. R. 10099) granting an increase of pension to Frances C. McDonough; to the Committee on Invalid Pensions.

By Mr. WATKINS: A bill (H. R. 10100) granting an increase of pension to Andrew G. Scott; to the Committee on Invalid Pensions.

By Mr. THOMAS S. WILLIAMS: A bill (H. R. 10101) granting an increase of pension to Louisa J. Puckett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10102) granting an increase of pension to Josiah Kenison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10103) granting an increase of pension to Elias Culbreth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10104) granting an increase of pension to Henry C. McMullen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10105) granting an increase of pension to Josiah Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10106) granting an increase of pension to Sarah C. Yarborough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10107) granting an increase of pension to Judy A. Turley; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 6489, for relief of Melchior Weller; to the Committee on Invalid Pensions.

By Mr. AYRES: Petitions of citizens of Rose Hill and Wellington, Kans., protesting against revenue stamps on bank checks; to the Committee on Ways and Means.

By Mr. BROWNING: Petition of Salisbury Worsted Mills, of Camden, N. J., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. CAMPBELL: Petitions of depositors in the banks of Kansas, protesting against revenue stamps on bank checks; to the Committee on Ways and Means.

By Mr. CARY: Petition of Milwaukee Division, No. 46, Order of Railway Conductors, favoring printing report of Industrial Relations Commission; to the Committee on Printing.

Also, petition of Wisconsin Chapter of the American Institute of Architects, protesting against House bill 743, for building for Department of Justice; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: Petition of John Cook and many other citizens of the State of Florida, asking the passage of legislation similar to that provided in House bill 5308 in the Sixty-third Congress; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of Buffalo (N. Y.) Chamber of Commerce, relative to urging Board of Engineers of the United States Army to report in favor of making a survey of the entrance of the Buffalo River; to the Committee on Rivers and Harbors.

Also, petition of Hedwig A. F. Kosbob, of Cleveland, Ohio, favoring passage of the Workmen's compensation act, H. R. 476; to the Committee on the Judiciary.

Also, petition of B. Niccoll & Co., of New York City, relative to exemption from compulsory State pilotage of barges operated in inland waterways in tow of steam tugs; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Stockton Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

Also, petition of the Merchants Association of New York, relative to development of really important waterways of New York City and State; to the Committee on Rivers and Harbors.

By Mr. DANFORTH: Petitions of Business Men of the thirty-ninth congressional district of New York, favoring a tax on mail-order houses; to the Committee on Ways and Means.

By Mr. DARROW: Petition of Gen. Herry C. Egbert Camp, No. 42, United Spanish War Veterans of Germantown, Philadelphia, favoring pensions for widows and minor children of Spanish War Veterans; to the Committee on Pensions.

Also, petitions of John R. Marlin Council, No. 20, Junior Order United American Mechanics; Fred. M. Wagner Council, No. 185, Junior Order United American Mechanics, of Philadelphia, and State Council of Pennsylvania, Junior Order United American Mechanics, favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DRUKKER: Petitions of Fred Schofield, Henry Clark, and William H. Marnes, of New Jersey, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. DYER: Petitions of Captain M. M. Marvin Camp, No. 95, Department of New York, United Spanish War Veterans, of Walton, N. Y.; General Joe Wheeler Camp, No. 12, United Spanish War Veterans; William H. Hubbell Camp, No. 4, Department of New York, United Spanish War Veterans, favoring pensions for widows; to the Committee on Pensions.

Also, petitions of Warner D. Crouch Camp, No. 77, United Spanish War Veterans, McLeansboro, Ill.; S. A. Valentine Camp, No. 31, Department of Michigan, United Spanish War Veterans; Barry E. Brown Camp, No. 11, United Spanish War Veterans, favoring pensions for widows; to the Committee on Pensions.

Also, petition of National Indian War Veterans, favoring pensions equal to soldiers of other wars; to the Committee on Pensions.

Also, petition of City Council of Rock Island, Ill., favoring passage of House bill No. 54, for pensions for widows of Spanish War Veterans; to the Committee on Pensions.

By Mr. ELSTON: Memorial of Stockton (Cal.) Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of Stockton Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

Also, petitions of Fred A. Bean and 28 others of Toma and G. E. Fox and 28 others of Wonevow, Wis., favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. FLYNN: Petition of the Public Forum of the Church of the Ascension, of New York, favoring the child-labor bill; to the Committee on Labor.

Also, petition of A. K. Gleason, of New York, favoring tax on dyestuffs; to the Committee on Ways and Means.

Also, memorial of Stockton (Cal.) Chamber of Commerce, relative to railway mail pay; to the Committee on the Post Office and Post Roads.

Also, petition of Cigarmakers' Union, No. 149, relative to motion to convene a congress of neutral nations; to the Committee on Foreign Affairs.

By Mr. FREEMAN: Memorial of Stratford (Conn.) Woman Suffrage Association, favoring passage of the child-labor bill; to the Committee on Labor.

Also, petitions of the Mystic Manufacturing Co., of Mystic; Somerville Manufacturing Co., of Somerville; Gardiner Hall, jr., Co., of South Willington; Blissville Mills, of Norwich, all in the State of Connecticut, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. FULLER: Petition of citizens of Ottawa, Ill., favoring tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of Stockton Chamber of Commerce, relative to railway mail pay; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Society of the Revolution, favoring preparedness; to the Committee on Military Affairs.

By Mr. GARNER: Petitions of business men of Scheetz, Tex., favoring tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of citizens of Webb County, Tex., protesting against preparedness; to the Committee on Military Affairs.

By Mr. GOOD: Petitions of business men of the fifth congressional district of Iowa, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. HILL: Petition of Whitney Blake Co., of New Haven, Conn., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. HINDS: Petition of Forest Mills, of Bridgton, Me., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. IOGEE: Memorial of L. K. Robbins, of St. Louis, Mo., on national preparedness; to the Committee on Military Affairs.

By Mr. KALANIANAOLE: Memorial of Civic Convention of Hawaii, favoring the construction of a breakwater at Nawili-

wili and an appropriation by Congress to cover cost of same; to the Committee on Rivers and Harbors.

Also, memorial of Chamber of Commerce of Honolulu, favoring the establishment of military-training camps in all States and Territorial possessions of the United States; to the Committee on Military Affairs.

Also, memorial of Chamber of Commerce of Honolulu, favoring the creation of a body of experts to study and make a scientific report on their finding; to the Committee on Ways and Means.

By Mr. KELLEY: Petition of Gov. W. N. Ferris, of Michigan, and others, indorsing the plan for the prevention and real cause of international wars, prepared by Homer L. Boyle, of Lansing, Mich.; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Wilkins Manufacturing Co., of Woonsocket, R. I., favoring tax on dyestuffs; to the Committee on Ways and Means.

Also, petition of Anchor Webbing Co., of Woonsocket, R. I., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 8148, for the relief of Ola Smith; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 9087, for the relief of Henry Fleisher; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 1723, for the relief of Richard Van Dusen; to the Committee on Invalid Pensions.

By Mr. LAFEAN: Petition of Stockton Chamber of Commerce, relative to efficiency and equitableness of mail rates; to the Committee on the Post Office and Post Roads.

By Mr. LEWIS: Petition by Santiago Inglesias, president of the Free Federation of Workingmen of Porto Rico, on behalf of the federation, asking for an investigation of industrial conditions on the island of Porto Rico; to the Committee on Labor.

Also, memorial by Sandy Spring monthly meeting of Friends, opposing any increase of armament by the United States; to the Committee on Military Affairs.

By Mr. LOUD: Petition of L. R. Simpson, of Bay City, Mich., protesting against Federal censorship of motion-picture films; to the Committee on Education.

By Mr. MATTHEWS: Petition against the exportation of arms and ammunition from this country to any nation of Europe now at war; to the Committee on Military Affairs.

By Mr. McFADDEN: Petition of Hartley Silk Manufacturing Co., of Towanda, Pa., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. MEEKER: Petitions of seven citizens of St. Louis, Mo., protesting against passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of veterans of the Indian wars, favoring passage of bill to pension the few Indian war veterans the same as other war veterans; to the Committee on Pensions.

Also, petition of 71 members of First Infantry, National Guard of Missouri, all of St. Louis, Mo., favoring passage of the militia pay bill; to the Committee on Military Affairs.

Also, petitions of Grand Lodge Progressive Order, composed of 20,000 members; Young Men's and Ladies' Hebrew Charity Society; Chesed Shel Emith Society, composed of 1,000 members; Rabbi Bernhard A. Moritz, in the name of 60,000 Jews; Nathan Frank Lodge, No. 87; Beth Israel Lodge, No. 228; Jewish National Workers; Alliance Sholom Aleichem, Branch 17; United Jewish Educational and Charitable Associations; Polish Immigration League; Polish National Alliance; Polish Roman Catholic Union; Polish Women's Alliance; Polish Alma Mater; Polish Falcons Alliance; Polish Daily News; Polish National Daily; Polish Alliance Daily; the Polish Nation; and a number of other citizens, all of St. Louis, Mo., urgently protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of Metal Trades Council of St. Louis and vicinity; Mound City Lodge, No. 3, State of Missouri; International Brotherhood of Electrical Workers, Local Union No. 2; Sheet Metal Workers Local Union No. 36; Brewery Engineers Union No. 246; Amalgamated Meat Cutters and Butcher Workmen, Local Union No. 88, representing a membership of 618, all of St. Louis, Mo., and also a number of other citizens of St. Louis, Mo., praying for the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of City Forestry Union 14851; Painters Local Union No. 137; International Hod Carriers Union No. 240; Stove Mounters International Union No. 86; Boot and Shoe Workers Union; Wood, Wire, and Metal Lathers International Union No. 73; Brotherhood of Painters, Decorators and Paperhangers, No. 46; the Commercial Telegraphers Union No. 3, all of St. Louis, Mo., praying for the passage of the

Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MILLER of Delaware: Evidence in support of House bill 9004, granting an increase of pension to Julia W. Simpson; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Petitions of Herman Held, Max Schneider, Peter Dorsam, and others, of Philadelphia, Pa., favoring embargo on munitions; to the Committee on Foreign Affairs.

Also, petition of D. F. Waters, of Germantown Dye Works, favoring tariff on dyestuffs; to the Committee on Ways and Means.

By Mr. MORIN: Memorial of Capt. Alfred E. Hunt Camp, No. 1, Department of Pennsylvania, favoring legislation granting relief to widows and orphans of veterans of the Spanish-American War; to the Committee on Invalid Pensions.

Also, memorial of the Traffic Club of New York, urging immediate repeal of the seaman's act; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of James R. Miller and Margaret S. Patton, in favor of the passage of the Keating-Owen child-labor bill; to the Committee on Labor.

Also, petition of C. K. S., favoring the Keating-Owen child-labor bill; to the Committee on Labor.

By Mr. PAIGE of Massachusetts: Papers in support of House bill 9997, relative to Charles P. Morse; to the Committee on Military Affairs.

By Mr. PRATT: Petition of Mr. Harry S. Houghton, of Elmira Heights, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Gard W. Ford, of Hornell, N. Y., protesting against preparedness; to the Committee on Military Affairs.

By Mr. ROBERTS of Massachusetts: Evidence to accompany bill granting a pension to Harry A. Leonard; to the Committee on Pensions.

Also, evidence in support of bill granting a pension to Charles H. Avery; to the Committee on Invalid Pensions.

By Mr. ROWE: Memorial of American Federation of Labor at San Francisco, Cal., protesting against repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

Also, petition of piano manufacturers of New York City, favoring the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Texas: Petition of Frank Cheatham Camp, No. 314, United Confederate Veterans, at Breckinridge, Tex., favoring pensions for Confederate veterans and widows of same; to the Committee on Pensions.

By Mr. STEDMAN: Petition of employees of Amazon Cotton Mills, of Thomasville, N. C., protesting against child-labor bill; to the Committee on Labor.

By Mr. STEPHENS of California: Memorial of the State Board of Education of California, approving the policy of extending national aid to the various States for the purpose of assisting them in providing opportunities for vocational education to those individuals who anticipate entering or who have already entered the occupations of agriculture, trade, industry, commerce, and home making, and favoring the passage of the measure generally known as the Page bill, and introduced in the Senate of the United States by Senator SMITH of Georgia at the second session of the Sixty-third Congress; to the Committee on Agriculture.

Also, petition of Home Industry League of California, favoring preparedness; to the Committee on Military Affairs.

Also, petition of F. R. Fancher, of Redondo Beach, Cal., protesting against any bill seeking to establish a Federal censorship of motion pictures; to the Committee on Education.

Also, memorial of Los Angeles County Woman's Christian Temperance Union, against preparedness; to the Committee on Military Affairs.

By Mr. TINKHAM: Petition of Commissioner H. J. Skeffington, favoring an appropriation for the building of an immigrant station at the port of Boston; to the Committee on Public Buildings and Grounds.

Also, petition of sundry firms of the State of Massachusetts, favoring legislation protecting the manufacture of dyestuffs and munitions of war; to the Committee on Ways and Means.

By Mr. THOMAS: Memorial of District No. 23, United Mine Workers of America, asking publication of full report of Industrial Relations Commission; to the Committee on Printing.

Also, memorial of District No. 23, United Mine Workers of America, protesting against preparedness; to the Committee on Military Affairs.

SENATE.

WEDNESDAY, January 26, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we know that Thou hast so constituted human life as that good may be brought out of every ill. Where sin has abounded grace hath much more abounded. Amid the conflict, the chaos, and the strife of the world which afflict our ears every day, telling the story of suffering and oppression, we pray that at least we may by our generous response and our hearty brotherhood gain the friendship of those who are distressed and gain for ourselves the sweet satisfaction of a blessed service.

We pray Thy blessing upon the generous offerings of this people poured upon the altar of humanity, that they may have the approval and the blessing of the Divine One upon them all, and through our service may we learn where honor is, the honor of a great nation like ours. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

EDITORIAL ON MEXICAN SITUATION.

Mr. WORKS. Mr. President, I have here an editorial from the Evening Express, of Santa Barbara, Cal., on the Mexican situation. It is a very temperate and dispassionate statement of the conditions, and as it is both interesting and instructive I should like to have it printed in the Record.

Mr. SMOOT. I did not hear the request of the Senator from California. What is the paper?

Mr. WORKS. I request to have printed in the Record an editorial from the Santa Barbara Express on the Mexican situation.

Mr. SMOOT. Mr. President, I gave notice some time ago that I thought the time had arrived when editorials from newspapers on matters of this kind should be kept out of the Record. I do not know whether this is the time I should insist upon that course, but I want to say to the Senator that I am having figured up the amount of pages in the Record taken up by newspaper and magazine articles to show the percentage of the pages of the Record of such items. I will know in a day or two what that percentage is up to date; but I am quite certain the Record contains at least half of matter that has never been read or uttered in either House of Congress. I think the practice is being abused greatly, and if the Senator does not really think that the printing of this editorial in the Record is necessary, I should like very much to have him withdraw the request.

Mr. WORKS. Mr. President, I have received a great many articles from newspapers that ought not to go into the Record at all. It was because of the nature of this particular editorial, which is very temperate in character and which I think would be instructive, that I have asked it may be printed in the Record. It is not one calculated to arouse the passion of the country. I think it is quite unwise to put in matters of that kind.

I would be glad if the Senator from Utah would look at it and see if he will not change his opinion as to printing it at the present time. If the Senator, or any other Senator, has serious objection after reading the editorial, of course I shall not ask to have it printed.

Mr. SMOOT. With that understanding, I shall not object. I want to see what it is.

Mr. STONE. Does it go in?

The VICE PRESIDENT. That is what the Chair wants to know, whether it goes in the Record or is left to the Senator from Utah to determine.

Mr. STONE. Mr. President, I am entirely in sympathy with what the Senator from Utah has stated and with his declared purpose to object. I do not think we ought to have a mass of newspaper editorials and matters of that kind put into the Record. No one ever reads them, or very few. It is not very informing and it is expensive. It simply gives to such a paper the right of the franking privilege. If the Senator from Utah does not object, I shall myself, in pursuance of the notice I gave some time ago.

Mr. SMOOT. I object at this time to printing the article in the Record.

Mr. GALLINGER. Mr. President—

Mr. WORKS. I reserve the right to use it at some other time, and I withdraw the request for the present.

Mr. GALLINGER. I was about to remark, if the Senator will permit me, that the objection will hold until the Senator who offered it or some other Senator will read it to the Senate, and then it will go into the Record. That is about all an objection amounts to.